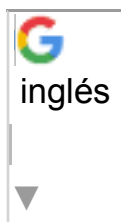


Peru

Código Penal (Decreto Legislativo N° 635 del 3 de abril de 1991)

[Bibliographic Entries](#)

[Texts](#)



- [PENAL CODE](#)
- [STATEMENT OF MOTIVES](#)
- [PRELIMINARY TITLE GENERAL PRINCIPLES](#)
- [BOOK ONE GENERAL PART](#)
 - [TITLE I CRIMINAL LAW](#)
 - [TITLE II offense](#)
 - [TITLE III OF PENALTIES](#)
 - [TITLE IV SAFETY MEASURES](#)
 - [TITLE V EXTINCTION OF CRIMINAL ACTION AND PENALTIES](#)
 - [TITLE VI CIVIL CONSEQUENCES REPAIR AND ACCESSORY](#)
- [BOOK TWO PART ESPECIALDELITOS](#)
 - [TITLE I CRIMES AGAINST LIFE, BODY AND HEALTH](#)
 - [TITLE II Offenses HONOR](#)
 - [TITLE III CRIMES AGAINST THE FAMILY](#)
 - [TITLE IV CRIMES AGAINST FREEDOM](#)
 - [TITLE V Crimes against property](#)
 - [TITLE VII CRIMES AGAINST intellectual property rights](#)
 - [CHAPTER I CRIMES AGAINST COPYRIGHT AND RELATED](#)
 - [CHAPTER II CRIMES AGAINST INDUSTRIAL PROPERTY](#)
 - [TITLE VIII CRIMES AGAINST THE CULTURAL HERITAGE](#)
 - [TITLE IX CRIMES AGAINST ECONOMIC ORDER](#)
 - [TITLE X FINANCIAL CRIMES AGAINST THE ORDER AND MONETARY](#)
 - [TITLE XI TAX OFFENSES](#)
 - [TITLE XII CRIMES AGAINST PUBLIC SAFETY](#)
 - [TITLE XIV CRIMES AGAINST PUBLIC TRANQUILITY](#)
 - [TITLE XIV-A AGAINST HUMANITY CRIMES \(*\)](#)
 - [TITLE XV CRIMES AGAINST THE STATE AND NATIONAL DEFENSE](#)
 - [TITLE XVI CRIMES AGAINST STATE POWERS AND ORDER CONSTITUTIONAL](#)
 - [TITLE XVII CRIMES AGAINST PEOPLE'S WILL](#)

- [TITLE XVIII CRIMES AGAINST PUBLIC ADMINISTRATION \(*\)](#)
- [TITLE XIX CRIMES AGAINST PUBLIC FAITH](#)

- [FINAL AND TRANSITIONAL PROVISIONS](#)

PENAL CODE

Legislative Decree No. 635

THE PRESIDENT OF THE REPUBLIC:

HOW MUCH:

In accordance with Article 188 of the Constitution of Peru as No. 25280 law issued on October 30, 1990, the Congress delegated to the Executive the power to issue by Legislative Decree the Penal Code, in of 90 days, naming for this purpose, a Audit Commission plans drawn up and empowering it to introduce the reforms it deems them appropriate;

No. 25305 which by law issued on February 10, 1991 the Congress granted an additional 60 days to exercise the delegated authority;

Revising the aforementioned Commission has failed to submit to the Executive Power Project New PENAL CODE approved by, according to the provisions of Article 2 of Law 25280;

With the approval of the Council of Ministers; Y,

With charge to the Congress;

He has given the following Legislative Decree:

Section 1. Be it enacted the Code of Criminal Procedure approved by the Audit Commission established by Law No. 25280, according to the accompanying text consisting of 466 items distributed manner and form detailed below:

PRELIMINARY TITLE Article I to X

BOOK I: General Part: items 1 to 105th

BOOK II: Special Part: 106th to 439th items

BOOK III: Fouls: Articles 440° to 452nd

FINAL AND TRANSITIONAL PROVISIONS: First to Fourth

SO:

Mando be published and enforced

Given at Government House in Lima on the third day of April, nineteen hundred Noventiuno

Alberto Fujimori

Constitutional President of the Republic

AUGUSTO ANTONIOLI VASQUEZ

Justice minister.

STATEMENT OF MOTIVES

BACKGROUND

Exactly a year and a half term of the Penal Code and No. 5168 Law of July 31, 1925, a commission composed by Senator Dr. Angel Gustavo Cornejo and Deputy Dr. Plácido Jiménez in order to introduce the necessary modifications were appointed the Penal Code. In 1928 the project was publicized.

The Government chaired by architect Fernando Belaúnde Terry, by Supreme Decree No. 136-AL of 25 March 1965, he appointed a commission of jurists in charge of revising the Penal Code of 1924. The Supreme Court, the National University of San Marcos, the Pontifical Catholic University of Peru and the National Federation of Bar Associations of Peru appointed their representatives to the committee. On June 7, 1972, the committee chaired by Dr. Octavio Torres Malpica and integrated by Dr. Luis Bramont Arias, Luis Roy Freyre, Raul Peña Cabrera, Hugo Piaggio and Carlos Espinoza Villanueva, presented the draft to reform the Penal Code.

Supreme Resolution No. 070-81-JUS, 08 September 1981, one composed of jurists and doctors Luis Roy Freyre, Eduardo Mimbela de los Santos, Carlos Espinoza Villanueva, Lauro Muñoz Garay, Alfonso Aguilar Bustillos, Victor commission is constituted Maúrtua Vásquez, Nicolas de Pierola and PIP Balta and Colonel Jose Cabrera Márquez, responsible for proposing to the Ministry of Justice the draft Penal Code. On August 3, 1983 the Minister of Justice, Dr. Armando Buendia Gutierrez, forwarded the draft Criminal Law to the Senate, the same that was published in the official gazette "El Peruano" from 03 to 05 September 1984.

By Law No. 23859 of July 5, 1984 empowered the executive branch to enact by legislative decree the Penal Code, constituting a reviewing committee composed by Dr. Javier Alva Orlandini, Luis Bramont Arias, Hugo Denegri Cornejo, Víctor Alfaro de la Peña, Bettuchi Guillermo Ibarra, Oriel Pomareda Boldrini, Edmundo Haya de la Torre, Segundo Peña Reyna, Victor Perez Liendo, Juan Portocarrero Cusi Quispe Hidalgo and Bonifacio. The work of this Commission was published in the Official Gazette "El Peruano" in September and October 1984. amendments is published again from 19 to 21 August 1985.

The Advisory Committee of the Ministry of Justice, made up of Ministerial Resolution No. 193-85-JUS, of July 31, 1985, with the collaboration of its members Edmundo Haya de la Torre, Bramont Luis Arias, Juan Portocarrero Hidalgo and Jose Tello Campodónico on the basis of previous projects developed by the Audit Commission constituted by No. 23859 Law developed the giving itself to advertising in the official gazette "El Peruano" from 31 March to 02 April 1986. As secretary participated Dr. Jorge Rodríguez Vélez.

On October 25, 1988 Law No. 24911 was issued to expand the period granted by Law No. 23859 to all that remains of the constitutional period so that the Executive Branch enacted by legislative decree the Penal Code. For this purpose a new Audit Commission to which it is authorized to introduce the reforms it deems relevant and to call people and institutions that have an interest in making their views and suggestions on the Draft Penal Code of 1986 worked settled by the Advisory Committee of the Ministry of Justice. The members of this Committee were Dr. René Nuñez del Prado, Felipe Osterling Parodi, Rolando Brena Pantoja, Flavio Nuñez Izaga, Benjamín Madueño Yansey, Duberly Rodriguez Tineo, Carlos Espinoza Villanueva, Pedro Mendez Jurado, Luis Bramont Arias, Luis Roy Freyre and Ricardo Váscones Vega. They collaborated with Drs this Raúl Peña Cabrera, Carlos Lecaros Cornejo, Andrés Felipe Villavicencio Terreros, César San Martín Castro, Luis Lamas Puccio and Victor Prado Saldarriaga. He acted as legal secretary Ana Maria Valencia Catunta. On 9 September 1989, it published the Draft Code of Criminal Procedure (General Part) and 17 July 1990 is published the Draft Penal Code in its full version (General and Special Parts).

By Law No. 25280 the Congress delegated to the Executive Branch the power to issue, within a period of 90 days, the Penal Code, by legislative decree, appointing this Review Commission composed of three senators, doctors Javier Alva Orlandini, Luis Gazzolo Miani and Absalom Alarcón Bravo de Rueda; three deputies, doctors Gilberto Cabanillas Barrantes, Eduardo López and José Baffigo Torre Therese; a representative of the Attorney General, Dr. Pedro Mendez Jurado; the Judiciary, Dr. Carlos Espinoza Villanueva; the Ministry of Justice, Dr. Juan Portocarrero

Hidalgo; of the National Federation of Bar Associations, Dr. Luis Lopez Perez; the Lima Bar Association, Dr. Luis Bramont Arias. The Commission was assisted by Dr. Roberto Keil Rojas and Gonzalo de las Casas, in terms of economic, financial and monetary crimes; and Dr. Raul Peña Cabrera.

Similarly lent their valuable support lawyers secretaries Ana Maria Valencia Catunta, Pablo Rojas Zuloeta, Maria del Pilar Mayanga Carlos, Javier Lopez Moreno, Miguel Carbajal Espinoza and Rosa Sandoval Carranza.

Law No. 25305 extended for sixty days the deadline for the review of the Project and the enactment of the Criminal Code.

It should be acknowledged that the Penal Code which ceases force, established at the time a major step in relation to criminal sciences that preceded it. However the irreversible passage of time, with new doctrinal developments and explosive social reality of the country shook their functional structure. The criminal phenomenon with alarming rates and new violent forms of social deviance best proposals pushing for punitive reaction.

CONTENT

Until recently, the trend was to make a partial reform of the Penal Code; but since 1979, with the enactment of the Constitution of the State, it was understood that it was time to face the total reform of punitive law. This company should get down not only to adapt the Penal Code the political system drawn by the Constitution but also to the new realities of our society and advances presented in this hour criminal policy, criminal dogma, criminology and penology .

The Criminal Code pursues realize the principles of modern criminal policy, laying the premise that criminal law is the guarantee for the possible viability in a social and democratic system of law.

The Penal Code in its Preliminary Title garantistas raises a set of principles such as: preventive and protective purpose of the human person of criminal law (Article I); legality, under which the punitive activity of the State must have full, clear and complete support in the law (Article II); prohibition on analogous application of criminal law (Article III); principle of harmfulness or entry (*) GRINDING FOR ERRATA endangered legal interests for the application of penalties (Article IV); legal guarantee, judgments can not be dictated only by competent court (Article V); performance guarantee requires that it be fulfilled in the manner prescribed by law (Article VI); criminal responsibility as a basis for the application of punishment (Article VII); proportionality of punishment to responsibility for the fact and the extent of security prevailing public interest (Article VIII); function retributive, preventive, protective and resocialization of grief, and healing purposes, protection and rehabilitation of security measures (Article IX); application of the general rules of the Criminal Code to special laws (Article X).

Space application

The novelty here is to accept the criterion of ubiquity to determine the place of the offense and may be the place in which the act or omission occurred or the manifestation of results (Article 5).

Temporal application

1. In compliance with Article 233° paragraph 7) of the Constitution, the implementation of "most favorable to the accused in case of conflict in the time of penal law" (Article 6) is prescribed. In this way the project replaces the principle of unity of applicable law, either the preceding, subsequent, or intermediate, as enshrined in Article 7 of the Penal Code of 1924, the new principle of combining, which takes most benign having each of the successive rules.

2. Temporary criminal or passing laws, so called because govern for a predetermined your own text time, apply to all criminal acts committed at the time of its validity, although no longer be in force at the trial take place, except after another law prescribes otherwise. The reason for this new rule proposed is that, otherwise, the absurd to announce the ineffectiveness of temporary laws when the offenses provided for would be committed, were committed before the imminence to finalize the time of their force (Article 8).

3. As for the moment to be considered a crime, the project indicates that it is none other than the appropriate action or omission, regardless of the time at which the result is produced (Article 9)

Personal application

On the basis of equality before the law, article 10 recognizes prerogatives because of the role or position under laws or international treaties.

punishable act

Punishability bases

1. a major legislative gap by stating the requirements for commission by omission can become punished remedied. Given this issue as sources the German Alternative Project 1966 (paragraph 12) and the Penal Code West Germany 1975 (paragraph 13), the Project of the National Review Commission states that the omission of an offense shall be punished when has the legal or legal obligation freely consented to paralyze its realization (duty as guarantor), or if you created an imminent danger that is fitting for the event (previous conduct of the author) occurs, provided that the omission corresponds to the crime of a commission by a make (Article 13).

2. Notable innovation is referred to prelegislative error processing (article 14). Traditionally they used the terms error of fact and error of law. New alternative formulas error and error type of ban indicate content other than those referred to traditional denominations. While the old linguistic expressions, now overtaken by the progress of the criminal doctrine, allowed to distinguish between the factual and the legal, happens now that the error rate is based on all the constituent elements thereof, whether evaluative, factual and regulatory (factual circumstances, supporting documents or exculpantes), leaving the error of prohibition linked to the assessment of behavior against the system legal in full (no responsibility for the error). Following a German tendency manifested uniformly in the 1962 draft (paragraph 20, inc. 2), in the Alternative Project (paragraph 19, inc. 1) and the existing Criminal Code West Germany (paragraph 16, inc. 1) the same that transcended the Penal Code type Project for Latin America (Article 27), it happens that the pre - legislative document that motivates prescribes that the error rate beatable offense punishable as culpable when it is found envisaged as such in the law; reserving the mitigated punishment, still below the legal minimum indicated for willful infringement, if they involve an error beatable ban. Indeed, the national pre - legislative document follows the proposed draft of the new Spanish Penal Code of 1983 (article 17 paragraph 3), to decide on compulsory attenuation, not optional error beatable ban.

3. In recognition of the cultural heterogeneity of the inhabitants of our country, but without resorting to derogatory terminology that unhappily used the "Maúrtua Code" ("wild", "semi-civilized Indians or degraded by serfdom and alcoholism"), the project of the Review Commission had hosted a special form of error in the doctrine known as "understanding culturally conditioned error". In this sense, who by their culture or custom (not by mental disorder or other causes of criminal responsibility under article 20, inc. 1 of this project), commits an offense without being able to understand, for these reasons, the criminal nature of his act or determined in accordance with that understanding, be exempt from punishment. The penalty will be mitigated if, for the same reasons indicated capacity is diminished only finds it (Article 15).

Attempt

1. Unlike the Penal Code of 1924, in which the attenuation of sentence for attempt is nothing more than an optional application in the current project, the annotated mildness assumes a sense of obligation to the judge (Article 16).

2. As a result of the proposed rule in Article IV of the Preliminary Project that motivates text stipulates that the imposition of penalty only happens before the injury or put (*) GRINDING FOR ERRATA in danger of a legal right , it now has provided impunity for the attempt when absolutely inidónea, either by the ineffectiveness of the means used or the inappropriateness of the object on which the action (Article 17). Thus disappear from our law the penalty for the crime impossible (which is based on the dangerousness of the author), therefore not legally exist any damaged or risky, as the lack of social alarm.

Causes that exempt or attenuate the Criminal Responsibility

1. The text of the statement of need proof (article 20 inc. 4) has its source in paragraph 34 of the German Penal Code (1975). The innovations introduced on the subject are as follows: unlike Article 85 °, inc. 3 of the Penal Code of 1924, the proposed device has been drafted according to another reserved for exculpante need different; the threat is the danger materialized, by deleting the reference to the threat of a "bad" word that brings moral reminiscences; the danger must be present; the exemption is extended in favor of whom conjures up the danger threatening another person; it must be protected regarding damaged preponderant interest; and the means employed to overcome the danger must be right.

2. In another paragraph of the Project is the state of exculpante need (Article 20 inc. 5). Its source is in paragraph 35 inc. 10 of the German Penal Code. It constitutes an express case of non - enforceability (*) GRINDING FOR ERRATA other behavior that differs from the state of justification need for state in numerus clausus are the basic legal rights are, in the sense important, to be threatened, so as to highlight the unlawfulness of the act, all of which explains the reason that the budget of exclusion of guilt is not in the collision of legal interests of different hierarchy which should protect the most important, but in the conflict legal interests of identical or similar range, where the psychic pressure does not enforceable right to appropriate behavior. The second difference is punctuated by requiring the text projected when the threat that another person committed, it must have close ties with acting out of necessity. In a second paragraph states that the application for exemption from criminal liability "if the agent could be required to accept or soportase the danger in view of the circumstances, especially when they have caused the danger or were bound by a particular legal relationship" formula much more explicit than that contained in Article 85° inc. 3 of the Criminal Code 1924 ("... if the circumstances in which the act was committed could not reasonably be required of the author threatened the sacrifice of good").

3. Although the formula of hierarchical obedience Project (Article 20 inc. 9) is exactly equal to the Criminal Code (article 85° inc. 5) should be noted that the Review Commission interprets that the locutions " mandatory order ", " competent authority "and" exercise of their duties "referred implicitly, but sufficiently, that the higher order should not be manifestly unlawful, is not necessary in this regard, so indicate explicitly challenges.

4. The coincidence of wills between the perpetrator and the passive subject of a crime, not criminally significant value that holds the agreement set by the parties in the area of private law. However, taking into consideration that in the criminal field are not always public the offended interest, the Project Review Commission supports, among other grounds for exemption from criminal responsibility, acting with the valid consent of a legal right, always it is freely available (Article 20 inc. 10).

This project, unlike the "Maúrtua Code", provides an optional, but not imperative, reducing the sentence below the legal minimum prescribed for the act committed when the agent he is over 18 years old and less 21 years old at the time of the infringement and for people over 65 years (Article 22).

Authorship and Participation

1. The penalty of secondary accomplice, which under the Penal Code in force attenuation is optional in the project that motivates reduction is mandatory and must be imposed the penalty below the legal minimum prescribed for the offense (Article 21).

2. The text establishes criminal responsibility of individuals acting on behalf of a legal person (Article 27), it is taken from article 15 bis of the Penal Code Spanish (added by the Organic Law 8/1983) and as well as Article 31 of the Draft Proposed New Penal Code of 1983. Following Spanish, for the most part, the article said first source, the proposed device requires concur in the person represented, but not necessarily representative , conditions, qualities or relations corresponding offense required to be a participant.

The miseries

The Audit Commission, while acknowledging the power criminogenic prison, considers that the imprisonment still remains today in response to the crimes that are unquestionably serious. From this premise the urgency of seeking other punitive measures to be applied to offenders of little danger, or who have committed criminal acts which have no more serious is clear. On the other hand, the high costs demanded the construction and maintenance of a prison, forced to imagine new forms of sanctions for offenders not significantly threaten social peace and collective security.

Penas classes

1. The system of sanctions is positively innovative project. The Audit Commission estimated to have perfected the imprisonment to unify (eliminating penalties of detention, prison, banishment and imprisonment), and allowing to be replaced in the expressly indicated cases, other forms of sanctions that do not matter cut the freedom of movement . You can not deny the audacity with which the project provides for the application of restrictive penalties other than deprivation of freedom of movement rights, but consider that the dense prison population, the harmful effects of imprisonment and the scarcity of public resources for meet the most basic needs required about the human condition, compel them to investigate solutions that, without being perfect, constitute at least one relative progress in the fight against crime.
2. The Project provides a list of markedly simpler sentences. Sanctions are three classes; deprivation of liberty, restriction of liberty, limited rights and a fine (Article 28).
3. The unification of the custodial sentence has been following a legislative trend that originated in the German Alternative Project 1966 (paragraph 36). It said punishment ranges from two days to 25 years (Article 29).
4. The penalties limiting the rights of service to the community, the limitation of days and disqualification (Article 31). Such sanctions are applied as independent or as replacement of imprisonment, when it replaced, at the discretion of the judge, does not exceed 3 years (Article 32). The penalty of rendering community service is free work done convicted in health centers, schools, hospitals, orphanages, etc. (Article 34). The limited sanction of days imposes an obligation to stay on Saturdays, Sundays and holidays for a minimum of 10 hours and a maximum of 16 hours total per weekend, in establishments organized for educational purposes (Article 35) . Both of the aforementioned rights limiting sentences ranging from 10 to 156 days of service or weekly limitation. Unjustified breach of these penalties will have the effect of turning them into custodial sentence, according to the equivalences specified in Article 52 of the draft (article 33).
5. Disqualification undergoes major modifications to the Criminal Code. First, the perpetuity of the disqualification is removed and fixed in 5 years the maximum duration (Article 38). Second, the project needs cases where disqualification will be applied as an accessory penalty, thus allowing better reflect the nature of the infringed duty (Article 39).
6. The fine ranges from 10 to 365 days, unless a different law (Article 42).
7. The expatriation and expulsion from the country, depending on whether Peruvian and foreign, are applied after serving his prison sentence (Article 30), have a maximum duration of ten years and only comes in serious crimes.

Application of Pena

1. The project establishes the important principle of co-guilt of society in the offense when prescribes that the judge should take into account, when substantiate the decision and determine the punishment, social deprivation which have affected the agent (Article 48). In this way, our community would recognize that does not provide equal opportunities for all individuals to behave with adaptation to the general interest, accepting partial responsibility for criminal conduct, mea culpa which has the effect of enervar the right to punish the State exercises on behalf of society. The Audit Commission conceptualizes guilt to which reference is made, diminishes or disappears in the same extent that the offender has had the opportunity to behave according to the norms of social coexistence.

2. A real innovation is consistent in the way it should be counted preventive detention in cases of sentencing to imprisonment of effective enforcement. Unlike optional in the existing Criminal Code is discounting the prison suffered before issuing the sentence (Article 47), the Audit Commission proposes that preventive detention was deducted compulsorily the penalty imposed at the rate of a day of grief imprisonment for each day of detention (Article 47).

Conversions imprisonment

The pre-legislative document that motivates provides that, in certain cases, the judge may make no more imprisonment of three years for another that may be fine, service to the community or limitation of days (Article 52). If convicted unjustifiably fails to comply with the payment of the fine or the provision of assigned or limiting the days of days off service from the conversion it will be revoked and must then run the custodial indicated in the judgment. Discounting non-custodial sentence fulfilled prior to the revocation shall be in accordance with the equivalences indicated (Article 56). Also be revoked if, within the period of execution of the sentence already converted, the convicted commits an intentional offense punishable by law with imprisonment for not less than 3 years free. In the last mentioned case, the revocation operates automatically (Article 57).

Suspension of the Execution of Sentences

One of the requirements determining the suspension of the execution of the custodial sentence is that the penalty imposed should not exceed 4 years. The suspension period, ie the term test has a maximum of 3 years (Article 57). Unlike the Penal Code in force, the draft stipulates the rules of conduct imposed, and indicating also cases in which will be considered as pronounced sentence (article 58° and 61° respectively).

Reserve CONVICTION

another major innovation consisting of the judge refrains from dictating the operative part of the judgment in which it would be fixed is entered. The project lists the cases where the reservation of the sentence (Article 62) operates, being remarkable the circumstances concerning the offense is punishable by imprisonment not exceeding three years, as well as the requirement of a penalty not exceeding 90 days of service to the community or limitation of days. The rules imposed at the time of agreeing Reserve conviction are expressly contained in a separate clause (Article 64).

Exemption from punishment

It is another resource of the project to avoid imprisonment short run.

Exemption from punishment is appropriate in cases where the custodial sentence set for the offense is not more than 2 years and also when it is restrictive of rights or a fine, all provided that the agent's responsibility is minimal (Article 68th). The Audit Commission notes that the exemption from punishment remains remnants of the composition (agreement between the parties), which crystallized elementary school yearnings for justice and was socially effective to the extent that exceeded private revenge.

Rehabilitation

Being in the line of administrative simplification, the Project requires that rehabilitation does not require any formalities (Article 69) must occur automatically. Rehabilitation has the effect of canceling the entries or records relating to the sentence that was imposed, what matters absolute silence regarding police, judicial and criminal records (Article 70).

Security measures

The Criminal Code of 1924 included a wide range of security measures. Notwithstanding this provision, the economic constraints of the state halted any chance they were actually applied. The Audit Commission, aware of this negative experience, has sought to reconcile the implementation of these measures with immediate material

possibilities of the state. inpatient and outpatient treatment (Article 71): In this regard, only two kinds of security measures are envisaged.

Extinction of the legal action and punishment

Among all causes worth mentioning extinctive prescription of prosecution. Project notes that this requirement operates as time goes defined by law for the offense in question, provided that the penalty is imprisonment. For illegalities that have non-custodial penalties, prosecution prescribed to 3 years (Article 80). (*) GRINDING FOR ERRATA On the other hand, the terms in which the prescription of prosecution for instant, continuous and permanent crimes (Article 82) begins fixing. The most important innovation in this area is the recognition of the right of the accused to waive the requirement for criminal proceedings (Article 91).

In this way, we want to avoid that the judge resort to easy expedient of computing over time to solve a case in which there are, in the opinion of the accused, sufficient evidence to motivate an acquittal.

side-effects

Highlighted because of its importance and novelty, the various measures available to legal persons when the crime was perpetrated (*) GRINDING FOR ERRATA by natural persons acting in the exercise of social activities or using the organization to facilitate or conceal violations criminal. Among the measures listed in the project we include the following: closure of the company, dissolution of the partnership, association or foundation, and suspension or prohibition of activities (Article 105).

Innovations proposed in the special section

The special part is the expression of the aspirations of Justice of the politically organized community, its values, the crystallizing legislatively, acquire the status of legal-criminal assets. Indeed, only selected from the socially harmful behaviors, those who present themselves as intolerable and social interests also appear vital to the community. Here lies the necessarily fragmentary nature of criminal law.

Valuations that the punitive contains text and unavoidable need for punishment, are naturally imbued with certain ethical and political conception. This explains, then, that the crisis of punitive power is evident in the special part, echoing the basic ideas of the historically relevant political and ideological conceptions. In this part, therefore, it has sought to structure the special part of the Penal Code for a pluralistic, democratic and open society, far from moral dogmatism and monolithic, cultural and political schemes.

In the general part of criminal law on crime and punishment in the abstract treated. Beside the theory of the subject responsible, the theory of crime and punishment theory is analyzed. On the contrary, the Special Part covers the concrete explanation of the offenses and penalties, ie the specific characteristics of each criminal act and criminal framework where it belongs. Its main contents constitute legal types. Therefore the treatment of typicality in the General Part has significant application to the Special Part. The scope and development given typicality crime as a note directly affect the analysis of each legal types and systematization. The statutory rate is therefore the main focus of the Special Part, assuming guarantor, indiciaria and motivating function.

The Special Part of the new Penal Code contains new legal types and technical innovations of a legal nature in the traditional figures in relation to 1924. In order to determine materially and order the statutory rates has been taken as a criterion the good sistematizador legal:

1. In this vein, in the title Crimes against Life, Body and Health, the term is suppressed "intentionally" in the crime of murder, considered in the previous code to really make the subjective aspect; It expresses the adoptive ascendant or descendant and concubine taxable persons in the crime of parricide referred; the pious is included offense of murder as killing a terminally ill who asked the author, expressly and consciously, to take his life to end her intolerable pain. Also within the same title, the Penal Code provides for offenses sentimental (or ethical) and eugenic abortion. Thus, the right to life of being in training protects constitutionally protected (Article 2 inc. 1) as to which the unborn is considered born for all when he favors.

2. Consideration of the crime of genocide in the Penal Code planned by the Genocide Convention of 1948, passed in Peru in 1959, complying with the provisions of the Constitution which prohibits discrimination gender, race, religion, opinion or language. This offense is attacked and internationally to global human being; hence the particular importance for international law. It attacks the subject as a person and he tries to destroy in all dimensions, bequeathing through extermination, their existence, position, development and history. All his very personal assets are affected.

3. Within a single title include various crimes against individual freedom, including the crimes of violation of privacy. Protecting the right to privacy is recognition of universal character since the Universal Declaration of Human Rights itself states that "no one shall be subjected to arbitrary interference with his privacy, home or correspondence, nor attacks upon his honor or his reputation". the crimes of violation of freedom of expression, which is a legal right that has constitutional protection is also sanctioned.

4 crimes of violation of freedom of work is the realization of the constitutional protection of labor rights in the Penal Code. Our Basic Law stipulates that an employment relationship any condition that prevents the exercise of constitutional rights of workers or knowledge or reduces its dignity and no one can be compelled to render personal work without his free consent and without proper compensation is prohibited (Article 42). In this chapter they are repressed, among other behaviors, attacks on freedom of association; the compel the worker to work without proper payment or without the conditions of industrial safety and health; Forcing another to hold employment contract to acquire raw materials or industrial or agricultural products; the improper withholding of remuneration or compensation of employees; Failure to consensual resolutions or executory administrative labor authority and willful distortion of production.

5. The new Penal Code provides a set of behaviors that violate intellectual property rights. Thus, the legal types containing offenses against copyright and industrial property against seeking to prevent and punish conduct that violate legal rights which are constitutionally support the rights of author and inventor. The Constitution, within the fundamental rights of the person, includes the right to freedom of artistic and scientific creation; and the chapter on property, claims that the State guarantees the rights of author and inventor to their respective works and creations by time and under conditions stipulated by law. It also guarantees names, trademarks, designs, industrial and commercial models.

6. The behaviors that violate cultural property are repressed in the title Crimes against Cultural Heritage. Given our cultural richness and our ancient tradition in the Preamble to the Constitution to defend the cultural heritage of the country was established as a principle. In the text of our fundamental legal norm states that the archaeological sites and remains, constructions, art objects and testimonies of historical value, declared cultural heritage of the nation, they are under the protection of the state. Law regulates preservation, restoration, maintenance and restitution. Therefore the suppression of predatory behavior of pre-Hispanic archaeological sites, illegal trafficking and other Prejudicial to that legally is necessary.

7. Criminal Law could not remain indifferent to the evolution and complexity of economic activity understood as an order. Constitutional foundation, the new Penal Code does not ignore the repression of crimes against economic order. Our fundamental rule guarantee economic pluralism and social market economy principles should be in line with the public interest. promotion by the state of economic and social development by increasing production and productivity and the rational use of resources is also established. The system therefore has as main objective the general welfare. Economic crime violates this law which is essential to meeting the needs of all individuals in society and therefore must be repressed. In this orientation the Penal Code devotes a Title to the treatment of Crimes against the Economic Order. It is anticipated as criminal monopoly, oligopoly and practices and agreements restricting competition in the commodity business behavior. The legally protected interest is thus free competition. Among the crimes against the economic order are also included in other chapters, hoarding, speculation and adulteration previously regulated by a special law.

8. Another innovative category constitute crimes against the financial order. This chapter is intended to protect the laws, rules and regulations related to the financial system; It seeks to protect them from acts or omissions in contravention. The constitutional mandate is clear to point out that the banking, financial and insurance activity

plays a social role in supporting the country's economy and can not be directly or indirectly private monopoly. Moreover, the law establishes the requirements, obligations, warranties and limitations to the respective companies. The state can not remain indifferent to the insecurity and tangibility of the savings of the population as well as the proper management of these resources and funds. It therefore aims to correct and serious placement of credits. The financial system thus constitutes the backbone that sustains economic activity in the state.

Financial activity supports the development of the economy of the various regions and all economic sectors of the population according to development plans. direct and indirect private monopolies are prohibited and companies are subject to requirements, obligations, warranties and limitations established by law. It is the Superintendency of Banking and Insurance institution representing the state exercises control of the banking, financial, insurance and other operating with funds from the public, and the Central Bank the body that regulates the currency and the Financial credit system.

The Penal Code provides for conduct against the financial system, from inside and outside. The concentration of credits arising in insolvency and liquidation, refusal to provide information or make false in order to hide insolvency or illiquidity situations, illegality or financial informality, are some of the criminal conduct.

9. The Code introduces another innovation when it comes to crimes against monetary order. This title is transferred to the figures located in the Code of 1924 under the Counterfeit currency and introduces some legal types related to situations that threaten the monetary order established by the Constitution itself. Our fundamental rule states that the law determines the monetary system of the Republic and the Central Reserve Bank meets delegated by the State the task of issuing notes and coins, as well as regulating the currency, defend monetary stability and manage foreign reserves .

10. Illicit drug trafficking, formerly covered by a special law, is now included in crimes against public health. What is to be protected is precisely public health. With respect to the previous legislation, the Code, as well as variation in the types of legal penalty, states that drug possession to be a crime, you should be aimed at traffic. criteria are also established to determine if the drug is intended owned consumption: correlation weight-dose drug purity and apprehension of it. favoring the cultivation it is also suppressed.

11. The Constitution is blunt in stating that everyone has the right to live in a healthy, ecologically balanced environment suitable for the development of life and preservation of landscape and nature and we all have the duty to preserve that environment. In addition, the State is obliged to prevent and control environmental pollution. With this protective purpose, the Penal Code provides for crimes against natural resources and the environment. The environment is a legal right of socioeconomic nature, covering all necessary for the development of the person in their social and economic aspects conditions. Its protection is a fundamental element of existence and survival of the world. The extrapenal social controls and adequate administrative legislation in place, must operate alongside the Penal Code.

All human activity is polluting itself especially if it is industrial. Therefore, in order to establish a criterion that reconciles the industrial exploitation with environmental protection, the Criminal Code states that the contaminant act should exceed the limits for which constitutes a crime.

12. In order to preserve the democratic and social state that establishes our Constitution, the crime of terrorism which now occupies a chapter within the Crimes against Public Tranquility is suppressed. In this matter what matters is the elimination of the equalization of the authors and accomplices for the purposes of sentencing establishing the previous legislation and that it was in violation of fundamental principles of criminal law.

This title figure of repentance or of persons subject to police or judicial investigation or who are serving a sentence is expected, a fact that generates, as applicable, reduction, exemption or remission of sentence.

Crime also criminalize the forced disappearance of persons by official or public servant and those who have the condition but acting under orders from officials. In this way it protects people from behaviors that attempt against human rights.

13. Tax Crimes are another innovation that presents new punitive text. Constitutionally , all citizens have a duty to pay taxes due to them and to bear loads equally established by law for the maintenance of public services (Article 77). In addition, payment of taxes and their elimination or modification and the granting of exemptions and other tax benefits are regulated by law. Therefore, the Penal Code represses persons performing behaviors constitute the crime of smuggling, customs tax fraud, tax evasion and illegal trade development and product.

14. Among the figures that have been deleted from the previous criminal law are crimes of fight, duel, adultery and maritime piracy. The reason for discrimination is that for a conduct constitutes an offense, you must injure or endanger a legal right. In these cases no legal rights are violated.

Recidivism and Habituality

It is imperative to connote the main reasons why the Commission decided to ban Revising the draft Penal Code, penal institutions and habitual recidivism. Today is not valid, indeed, in our legal system to preserve these aberrant forms of punishment that support its severity in the way of life of an individual (criminal copyright). The Audit Commission estimates that lacks logic, humanity and legal sense, the substantial increase in the penalty for a new offense, via recidivism or habitual, without any foundation other than the existence of one or more previous convictions, moreover, properly executed. Within this reasoning, punishing a person taking into account his previous crimes, whose criminal consequences already satisfied, it involves a violation of the principle bis non INIDEM (*) GRINDING FOR ERRATA (no one can be tried twice for the same offense), the same as is enshrined in Article 233° inc. 11 of the Constitution. Experience has shown that what drastic penalties imposed on behalf of recidivism and habitual, have failed to terrorize, in accordance with criteria of general prevention, all of which has led to the Audit Commission not to include in the document projected this backlog of old times and the right to punish the peligrosista positivism sponsored in order to recommend the application of qualifying measures and social segregation.

Lima, April 1991.

REVIEWING THE COMMISSION MEMBERS

Dr. Javier ALVA ORLANDINI

PRESIDENT

Representative of the Senate

Dr. Luis GAZZOLO MIANI

Representative of the Senate

Dr. Absalom ALARCON BRAVO DE RUEDA

Representative of the Senate

Dr. Gilberto CABANILLAS BARRANTES

Representative of the Chamber of Deputies

Dr. Eduardo LOPEZ THERESE

Representative of the Chamber of Deputies

Dr. José Baffigo TORRE

Representative of the Chamber of Deputies

Dr. Carlos ESPINOZA VILLANUEVA

Representative of the Judiciary

Dr. Pedro MENDEZ JURY

Representative of Public Prosecutions (*) GRINDING FOR ERRATA

Dr. Juan PORTOCARRERO HIDALGO

Representative of the Ministry of Justice

Dr. Luis BRAMONT ARIAS

Representative of the Lima Bar Association

Dr. Luis LOPEZ PEREZ

Representative of the National Federation of Bar Associations of Peru

PENAL CODE

PRELIMINARY TITLE

GENERAL PRINCIPLES

Article I. Purpose Preventive

This Code is to prevent crimes and misdemeanors as protector of the human person and of society means.

Article II Principle of Legality

No one shall be punished for an act not intended as an offense punishable by law in force at the time of its commission, or subjected to punishment or security measure that are not established in it.

Article III Prohibition of Analogy

Analogy is not permitted to qualify the incident as a crime or misdemeanor, define a state of dangerousness or determine the penalty or security measure that corresponds to them.

Article IV principle of harmfulness

The penalty necessarily accurate injury or endangerment of legally protected by law.

Article V. Jurisdictional Guarantee

Only the competent court may impose penalties or security measures; and you can not do it in the manner prescribed by law.

Article VI.-Principle Performance Bond

You can not run any penalty otherwise than prescribed by law and regulations that develop it. In any case, the execution of the sentence will be operated legally.

Article Criminal Responsibility VII.-

The penalty requires criminal responsibility of the author. any form of strict liability is outlawed.

Article VIII proportionality of punishment

The penalty can not exceed the responsibility for the incident. The security measure can only be ordered by prevailing public interests.

Article IX Purposes of Punishment and Security Measures

The penalty is preventive, protective and resocialization function. Security measures pursue healing purposes, protection and rehabilitation.

Article X. Supplementary Application of the Criminal Law

The general rules of this Code are applicable to offenses under special laws.

BOOK ONE

GENERAL PART

TITLE I

Of criminal law

CHAPTER I

SPATIAL APPLICATION

Article 1. Territoriality Principle

Peruvian criminal law applies to anyone who commits an offense in the territory of the Republic, with the exceptions contained in international law.

It also applies to offenses committed in:

1. The public national ships or aircraft, where they are; Y,
2. The national ships or private aircraft, which are in high seas or in airspace where no State exercises sovereignty.

Article 2.- principle of extraterritoriality, Principle Real or Defense and Principle of Active and Passive Personality

Peruvian Criminal Law applies to any offense committed abroad if:

1. The agent is official or public servant in discharge of their duties;
2. Undermines security or public tranquility, if it produces its effects on the territory of the Republic;
3. grieve the State and national defense; the powers of the state and the constitutional order or monetary order;
4. It is perpetrated against or by a Peruvian and offense is provided as extraditable under Peruvian law, whenever punishable also in the State where it was committed and the perpetrator enters any way the territory of the Republic; Y,
5. Peru is obliged to punish in accordance with international treaties.

Article 3. Principle of Representation

Peruvian criminal law may be applied when it requested extradition, not the agent is delivered to the competent authority of a foreign state.

Article 4. Exceptions to the principle of extraterritoriality

The provisions contained in Article 2, paragraphs 2, 3, 4 and 5 do not apply:

1. When extinguished criminal proceedings under one or other legislation;
2. When it comes to political offenses or related facts with them; Y,
3. When the defendant has been acquitted abroad or the convicted person has served his sentence or it is prescribed or forwarded.

If the agent has not fully served the sentence imposed, it can renew the proceedings before the courts of the Republic, but the portion of the sentence served shall be disregarded.

Article 5. Ubiquity Principle

The place of commission of a crime is one in which the perpetrator or has acted or omitted an obligation to act or where their effects occur.

CHAPTER II

Temporal application

Article 6. Principle of Combination

The applicable criminal law is in force at the time of the commission of the offense. However, it applies the most favorable to the accused, in case of conflict over time criminal laws.

If a law favorable to the offender is rendered during the execution of the penalty, the judge will replace the penalty imposed by the appropriate, under the new law.

MATCHING: L. No. 27454

Article 7. Benign Retroactivity

If, under the new law, the fact sanctioned in an earlier standard ceases to be punishable, the sentence and its effects are extinguished by operation of law.

Article 8. Temporary Laws

Laws to govern only for a certain time apply to all acts committed during its term, although no longer be in force, unless otherwise specified.

Article 9. moment of committing the crime

The time of the commission of a crime is one in which the perpetrator or has acted or omitted an obligation to act, regardless of the time the outcome will occur.

CHAPTER III

Fleshing

Article 10.- Principle of Equality

Criminal law applies equally. Prerogatives because of the function or position granted to certain persons should be exhaustively provided for in the laws or international treaties.

TITLE II

FACT PUNITIVE

CHAPTER I

BASES OF Punishability

Article 11. Crimes and Misdemeanors

They are crimes and offenses or fraudulent actions or culpable omissions punished by law.

Article 12.- intentional crime and crime culpable

The penalties established by law always apply to agent willful infringement.

The agent culpable offense is punishable in the cases expressly established by law.

Article 13 .- improper omission

Which omits prevent the commission of the offense shall be punished:

1. If you have a legal duty to prevent or creates an imminent danger outside itself to produce it. (*)

(*) Paragraph amended by the single article of Law No. 26682, published on 11/11/96

2. If the omission corresponds to the embodiment of the offense by a doing.

The penalty may be mitigated ignored.

Article 14.- error and error type of ban

The error on an element of the offense or in respect of a circumstance that aggravates it, if it is invincible, excludes liability or aggravation. If he is beatable, the offense shall be punished as culpable when it finds foreseen as such in law.

The invincible error about the wrongfulness of the act constituting the offense, excludes liability. If the error is beatable whatever it dims.

Article 15.- understanding culturally conditioned error

Which by their culture or customs commits an offense without being able to understand the criminal nature of his act or determined according to this understanding, it will be absolved of responsibility. When the same reason, this possibility is diminished, it will fade.

CHAPTER II

ATTEMPT

Article 16.- Tentativa

In the attempt agent begins execution of a crime, he decided to commit without consummating.

Judge repress the attempt prudentially decreasing it.

Article 17.- Tentative go unpunished

No attempt is punishable when it is impossible the consummation of the crime, the absolute ineffectiveness of the means used or absolute inappropriateness of the object.

Article 18.- voluntary non - active Regret

If the agent desists voluntarily to continue implementing acts of crime or prevents the result occurs, it shall be punished only when the acts performed constitute itself other crimes.

Article 19.- Participation of various agents in the attempt

If several agents involved in fact, is not punishable attempt of one who voluntarily prevented the outcome, nor the one who seriously endeavor to prevent the execution of the offense but the other participants continue in their execution or consummation.

CHAPTER III

CAUSES DISCLAIM OR CRIMINAL LIABILITY attenuate

Article 20.- Non-imputability

It is exempt from criminal liability:

1. that mental disorder, severe disturbance of consciousness or suffer alterations in perception, which seriously affect their concept of reality, does not have the power to understand the criminal nature of his act or to be determined by this understanding;

2. The under 18. (*)

(*) Numeral force under the substitution established by Article 3 of Law No. 26447, published on 04/21/95.

Note: Initially this paragraph had been amended by the First Article of Decree Law 25564, published on 06/20/92

3. He who acts in defense of legal interests or third parties, provided that the following circumstances:

a) illegitimate aggression;

b) Need rational means employed to prevent or repel; Y, (*)

(*) Literal amended by Article 1 of Law No. 27936, published on 12-02-2003, which reads as follows:

"B) Need rational means employed to prevent or repel. Is excluded for assessing this requirement the proportionality of means, considering instead, among other circumstances, intensity and danger of aggression, how to proceed from aggressor and the means available for defense. "

c) Lack of sufficient provocation of who makes the defense;

4. that, in a modern and insurmountable danger otherwise threatening the life, physical integrity, freedom or other legal right, performs a fact in order to avert such danger of himself or another, provided that the following requirements:

a) When the appreciation of the legal rights in conflict affected and the severity of the danger threatening the protected property is predominant over the damaged interest; Y

b) When a suitable means is employed to overcome the danger;

5. that, in a modern, not otherwise avoidable, which poses a threat to life, physical integrity or freedom danger, makes an unlawful act to avert the danger of himself or a person with whom he has close bonding.

Not from this exemption if the agent could be required to accept or support the danger in view of the circumstances; especially if he caused the danger or were bound by a particular legal relationship;

6. The working by an irresistible physical force from a third or nature;

7. He who acts compelled by insurmountable fear of an evil equal to or greater;

8. The working through provision of law, in fulfillment of a duty or in the legitimate exercise of a right, office or position; (*)

(*) In accordance with Article 4 of Law No. 27936, published on 02.12.2003, the provisions of Articles 2 and 3 of the Act, apply to this subsection, within which corresponds to this assumption.

9. that works by binding order of competent authority, issued in exercise of their functions.

10. Whoever acts with the valid consent of a legal right freely available.

Article 21.- Responsibility restricted

In cases of article 20, if any one of the requirements to fully disappear responsibility, the judge may prudently reduce the penalty to below the legal minimum limits.

Article 22.- Responsibility restricted by age

the appointed penalty for the offense committed prudentially may be reduced when the agent has more than eighteen and less than twenty-one, or more than sixty-five, at the time of the offense.

It is excluded the agent who has committed a crime of violation of sexual freedom, drug trafficking, terrorism, aggravated terrorism, undermining national security and treason or any other offense punishable with imprisonment of not less than twenty five years or life imprisonment. (*)

(*) Article in force under the amendment introduced by the single article of Law No. 27024, published on 25/12/98.

CHAPTER IV

Authorship and PARTICIPACION

Article 23.- Authorship, perpetration and coauthored

Which it performs by itself or by another the offense and those who commit it together shall be punished with the penalty for this violation.

Article 24.- Incitement

Which, intentionally determines another to commit the offense shall be punished with the penalty applicable to the author.

Article 25.- primary and secondary complicity

Any person who willfully assists for the commission of the offense, without whom is not perpetrated, shall be punished with the punishment provided for the author.

Those who, otherwise, would have intentionally assisted them prudently reduced sentence.

Article 26.- incomunicabilidad in the circumstances of participation

The circumstances and qualities that affect responsibility for some of the perpetrators and participants do not modify those of other authors or participants of the same offense.

Article 27.- Acting on behalf of another

Which acts as a representative body authorized a legal person or as a representative authorized partner of a company and carries out the statutory rate of crime is responsible as author, although the special elements underlying the penalty of this type do not concur in it, but Yes in the displayed.

TITLE III

PENALTIES

CHAPTER I

KINDS OF PUNISHMENT

Article 28.- Classes Pena

Penalties under this Code are:

- Prison;
- restricting liberty;
- limiting picture; Y
- Penalty fee.

SECTION I

IMPRISONMENT

Article 29. Term of imprisonment

The prison sentence will last at least two days and a maximum of twenty five years. (*)

(*) Article amended by Article 21 of Decree Law No. 25475, published on 05/06/1992, which reads as follows:

"Article 29. The prison sentence will last at least two days to life imprisonment". (*)

(*) Article amended by the First Article of Law No. 26360, published on 09/29/1994, which reads in force:

"Article 29.- The custodial sentence may be temporary or life imprisonment. In the first case will have a minimum of 2 days and a maximum of 25 years." (*)

(*) Article amended by the Fifth Final Provision of Legislative Decree No. 895, published on 23/05/1998, which reads as follows:

"Article 29.- The custodial sentence may be temporary or life imprisonment. In the first case, you will have a minimum of 2 days and a maximum of 35 years" (*)

(*) By Constitutional Court decision, the 17/11/2001 published, relapse Exp. No. 005-2001-AI-TC, declared unconstitutional, by the way, the Legislative Decree No. 895, addition and complementarily the constitutional by the bottom of the items 1, 2 paragraph a), paragraph 6), 6, paragraphs b), c) and d), 7, paragraphs a), b), c), e), f), g), i), first and third paragraph, and paragraph j) and Article 8 of Legislative Decree 895. Finally, by Section 4 of Law No. 27569, published on 02.12.2001, Decree repealed legislative No. 895.

SECTION II

RESTRICTIVE sentences

Article 30.- restrictive sentences - Classes

Restrictive sentences are:

1. The expatriation case of nationals; Y
2. The expulsion of the country, in the case of foreigners.

Both apply after serving his prison sentence.

The first has a maximum duration of ten years.

SECTION III

PENALTIES limiting RIGHTS

Article 31.- Penalties limiting rights - Classes

The limiting penalties rights are:

1. Provision of services to the community;
2. Limitation of days; and
3. Disqualification.

Article 32.- Application of penalties limiting rights as autonomous or substitute penalties

The limiting penalties rights provided for in the first two paragraphs of Article 31 are applied as autonomous when they are specifically identified for each offense and as substitutes or alternatives to imprisonment, when the penalty replaced at the discretion of the judge does not exceed a four years.(*).

(*) Article in force under the amendment introduced by the single article of Law No. 27186, published on 10/20/99.

Article 33.- Duration of limiting penalties rights as surrogates penalties

The length of sentences of service to the community and limited free days will be fixed when applied as replacement of imprisonment, in accordance with the equivalence set out in Article 52.

Article 34.- Provision of services to the community

The penalty of rendering community service requires the convicted person to pro bono work in care institutions, hospitals, schools, orphanages and similar institutions or public works.

Services will be assigned, if possible, according to the skills of the convicted person must be satisfied in days of ten hours a week, including Saturdays and Sundays, so that the normal working hours of their regular work is not impaired.

The convicted person may be authorized to provide these services on weekdays weekly, computándosele the corresponding day.

This penalty will range from ten to one hundred cincuentiseis days weekly services.

The law establishes the procedures for allocating places and oversee the development of service delivery.

Article 35.- Limitation of days

The limitation of days is required to remain on Saturdays, Sundays and holidays, for a minimum of ten and a maximum of sixteen hours total per weekend on an organized educational purposes establishment without the characteristics of a prison.

This penalty will range from ten to one hundred cincuentiseis days weekly limitation.

During this time the condemned receive guidance aimed at rehabilitation.

The law establishes the procedures for monitoring and enforcement of the sentence.

Article 36.- Disqualification-Effects

Disabling produce, as provided by the statement:

1. Deprivation of the function, position or commission exercised convicted, even if it comes from popular election;
2. Inability to obtain office, position, employment or commission of a public nature;
3. Suspension of political rights to bring the sentence;
4. Inability to exercise on their own or through third profession, trade, art or industry, to be specified in the sentence;
5. Inability to exercise parental authority, guardianship or trusteeship;
6. Suspension or cancellation of the authorization to carry or use firearms;
7. Suspension or cancellation of the authorization to drive any type of vehicle; or
8. Deprivation of military or police degrees, honorary degrees and other distinctions attached to the office, trade or profession that had served the agent to commit the crime.

Article 37.- Disqualification principal or accessory

The disqualification penalty may be imposed as a principal or accessory.

Article 38.- Duration of the main disqualification

The main disqualification ranging from six months to five years.

Article 39.- Disqualification accessory

The disqualification will be imposed as an additional penalty when the offense committed by the convicted person constitutes abuse of authority, office, profession, occupation, possession or violation of an inherent civil duty, commerce, industry, custody, guardianship, wardship or activity regulated by law. It extends the same time as the principal penalty.

Article 40.- Disqualification accessory in transit intentional crimes

The penalty of disqualification under article 36 paragraph 7 of this Code may be applied as an accessory in transit intentional crimes.

SECTION IV

Fine penalty

Article 41.- Concept

The fine requires the convicted person to pay the state a fixed sum of money in fines.

The amount of day-fine is equivalent to the average daily income of the convicted and is determined according to their wealth, income, earnings, spending levels and other external signs of wealth.

Article 42.- Extension of the fines

The fine will range from a minimum of ten days' fine to a maximum of three hundred and sixty five day fines, unless the law differently.

Article 43.- Amount of the day-fine

The amount of day-fine may not be less than twenty-five percent nor more than fifty percent of the daily income of the convicted when living exclusively from their work.

Article 44.- Term of payment of fine

The fine must be paid within ten days of the sentence pronounced. At the request of the convicted person and according to the circumstances, the judge may allow the payment be made in monthly installments.

The payment of the fine may be made by discounting compensation condemned when applied singly or when cumulatively applied with penalty limitation of rights or be granted conditional suspension of sentence, according to the limits laid down in Article 42.

The discount should not impinge on the resources necessary to sustain the condemned and his family.

CHAPTER II

APPLICATION OF PUNISHMENT

Article 45.- Budgets to support and determining the penalty

Judge, when substantiate and determine the penalty, shall take into account:

1. The social gaps that have suffered the agent;
2. Their culture and customs; Y
3. The interests of the victim, his family or people who depend on it.

Article 46.- individualization of punishment

To determine the sentence within the limits set by law, the judge will address the responsibility and seriousness of the offense committed, as they are not specifically constituting the offense or amendments of responsibility, considering especially:

1. The nature of the action;
2. The means employed;
3. The importance of the breached duties;
4. The extent of damage or danger caused;
5. The circumstances of time, place, manner and time;
6. Mobile and purposes;
7. The unit or plurality of agents;
8. The age, education, economic status and social environment;
9. The spontaneous repair of damage which have committed;
10. The sincere confession before being discovered; Y
11. The personal conditions and circumstances leading to the knowledge of the agent.

The court must take direct knowledge agent and as soon as possible or useful, of the victim.

Article 46 -A.-by condition aggravating circumstance active subject

Constitutes an aggravating circumstance in criminal liability if the perpetrator takes advantage of his status as a member of the Armed Forces, National Police, or authority, official or public servant, to commit an offense or used for that weapons provided by the State or whose I use is authorized by its status as a public official.

In these cases the court may increase the sentence up to one third above the legal maximum for the crime, it can not exceed the maximum sentence of temporary freedom established in Article 29 of this Code.

Shall not apply the provisions of this Article where the aggravating circumstance is intended to punish criminal or when it is a constituent element of the offense type. (*)

(*) Article inserted by section 2 of Law No. 26758, published on 03/14/97

Article 47.- Computation suffered arrest

Time detention that has been processed is paid to the calculation of the penalty imposed at the rate of one day of imprisonment for each day of detention.

If the penalty for the offense is a fine or limitation of rights, detention shall be computed at the rate of two days of such penalties for each day of detention.

Article 48.- perfect crime Contest

When several provisions are applicable to the same fact it is punishable with establishing the most severe penalty.

The additional penalties and security measures may be applied even if they are only under one of those provisions.

Article 49.-Crime continued

When multiple violations of the same criminal law or of the same or similar nature had been committed at the time of the action or at various times, with executive acts of the same criminal resolution they will be considered as a single continuing offense and punishable by the for the most severe penalty. If such violations, the agent would have hurt a number of people, the penalty shall be increased by one third of the maximum planned for the most serious offense.

The application of the preceding provisions shall be excluded when legal rights are affected eminently personal nature belonging to different subjects. (*)

(*) Article in force under the amendment introduced by the single article of Law No. 26683, published on 11/11/96

Article 50.- real contest of crime

If a number of offenses to be considered as so many separate offenses, the penalty shall be imposed more serious offense, the judge must take into account the other, in accordance with Article 48.

Article 51.- discovery of another offense

If after conviction another offense committed before it by the same convicted of the same or of a different nature that deserves a lower sentence imposed it is discovered, whatever the state you're in, the court or subjects the process will request a certified copy of the executory judgment and merit of it, the court will issue the final dismissal of the case and order archiving.

If the offense was discovered fact worthy to a penalty greater than that applied, the offender shall be subjected to a new process and the corresponding new sentence imposed. (*)

(*) Article force under the modification established by the single article of Law No. 26832; published 07.03.97

CHAPTER III

Conversions

SECTION I

CONVERSION OF PUNISHMENT PRIVATIVE

OF FREEDOM

Article 52.- Conversion of imprisonment

In case that was not from the conditional sentence or the reservation of the sentence, the judge may convert no more custodial sentence of two years in another fine, or no greater custodial sentence of four years in another provision of services to the community or limitation of days, at the rate of one day of deprivation of liberty for a day fine, seven days imprisonment for a day of service to the community or a day limitation free days. (*)

Concordances. Law No. 27770, Art. 3

(*) Article in force under the amendment introduced by the single article of Law No. 27186, published on 10/20/99.

Previously this article was amended by Article 1 of Law No. 26890, published on 12/11/97

Article 53.- Revocation of conversion

If the convicted person fails, unjustifiably, with payment of the fine or the service assigned to the time limitation of days, the conversion will be revoked prior judicial warning, having to run the custodial sentence determined in the judgment.

Revoked conversion, penalty will be deducted previously accomplished in accordance with the following equivalences:

1. A day fine for each day of imprisonment; or
2. A day of community service or a limitation of days off for every seven days of imprisonment.

Article 54.- Revocation of conversion for committing intentional crime

When the doomed comet, within execution of the sentence converted according to Article 52, an intentional offense punishable by law with imprisonment for not less than three years freedom, conversion is automatically revoked and it will be declared the new sentence condemnatory. Effecting corresponding to the portion of converted penalty it had been executed before the recall, according to the equivalences referred to in Article 53° off, the convicted fulfill the imprisonment remainder of the first sentence and whatever he imposed the new offense.

SECTION II

CONVERSION OF THE PENALTY TO PROVIDE SERVICES TO THE COMMUNITY AND LIMITATION OF DAYS FREE

Article 55.- Conversion of limiting penalties to custodial rights

If the convicted person fails, without justification, to the provision of services or the day limitation of days-free applied as autonomous penalties, those penalties will become custodial, prior judicial warning, in accordance with the equivalence set out in Article 53° .

SECTION III

CONVERSION OF FINE PENA

Article 56.- Conversion of a fine

If the solvent convicted person does not pay the fine or frustrates compliance, the penalty may be executed on their property or converted prior injunction, the equivalent of a day of imprisonment for each day-fines unpaid.

If the convicted person becomes insolvent through no fault of their own, the fines becomes a limitation of rights or providing services to the community with the equivalent of one day for every seven daily fines unpaid.

The offender may pay the fine at any time discounting the equivalent of imprisonment or community service completed to date.

When co-it imposed imprisonment and a fine penalty is added to the first which corresponds to the converted fine.

CHAPTER IV

STAY OF EXECUTION OF THE SENTENCE

Article 57.- Requirements

The judge may suspend execution of the sentence provided that the following conditions are met:

1. That sentence refers to imprisonment not exceeding four years; Y

2. That the nature, mode of offense and the personality of the agent did foresee that this measure will prevent you from committing new crimes.

The suspension period is one to three years.

Article 58.- Rules of Conduct

Judge to grant conditional sentences, impose the following rules of conduct:

1. Ban certain places;
2. Prohibition from leaving the place of residence without permission of the judge;
3. Personal necessarily appear and the court, to inform and justify their activities;
4. Repairing the damage caused by the crime, unless it is proving impossible to do so;
5. The agent has in his possession objects may facilitate the realization of another crime; Y,
6. Other duties as the judge considers appropriate to the social rehabilitation of the agent, provided that violates the dignity of the condemned.

Article 59.- Effects of breach

If during the suspension period the convicted person fails to comply with the rules of conduct imposed or were convicted of another offense, the court may, as appropriate:

1. a caution;
2. To extend the period of suspension to half the original deadline. In no event exceed the cumulative three-year extension; or
3. To revoke the suspended sentence.

Article 60.- Revocation of suspended sentence

The suspension shall be revoked if within test agent is convicted for committing intentional crime whose new custodial sentence exceeding three years; in which case conditionally suspended sentence and appropriate for the second offense will run.

Article 61.- Condemns pronouncement

The sentence is considered as pronounced if the trial period elapses without the offender from committing new intentional crime, or infringes stubbornly persistent and rules of conduct established in the judgment.

CHAPTER V

RESERVATION OF CONVICTION

Article 62.- Reserve conviction-circuntancias and requirements

The judge may reserve conviction when the nature, mode of offense and personality of the agent, do foresee that this measure will prevent you from committing a new crime.

The reserve will be prepared:

1. When the offense is punishable by imprisonment not exceeding three years or a fine;
2. When the penalty to be imposed does not exceed ninety days of service to the community or limitation of days; or
3. When the penalty to be imposed not exceeding two years disqualification.

The deadline for booking conviction is one to three years, counting from the decision acquires res judicata.

Matches: Law No. 27770, article 3.

Article 63.- Effects Reserve Conviction

Judge to have the reserve of conviction shall not dictate the operative part of the judgment, without prejudice to establish civil liability as appropriate.

Reserve conviction matter the suspension of registration in the Court Register. (*)

(*) Article amended by Article 1 of Law No. 27868, published on 20-11-2002, which reads as follows:

"Article 63. Effects Reserve CONVICTION

Judge to have the reserve of conviction, shall not dictate the operative part of the judgment, without prejudice to establish civil liability as appropriate.

Reserve judgment shall be entered in a special register by the judiciary. The Register reports exclusively upon written request of the judges of the Republic, for verification of rules of conduct or commission new criminal offense. Registration is special, confidential and provisional and does not allow for any reason, the issue of licenses for different purposes.

Completed the probationary period is void registration automatically and can not be issued any record of him under responsibility. The judge of origin, at the request of a party, check the cancellation: "

Article 64.-Rules of Conduct

Judge, to have the reserve of conviction, impose the following rules of conduct:

1. Ban certain places;
2. Prohibition from leaving the place of residence without permission of the judge;
3. Appearing monthly to the court, personal and obligatory to inform and justify their activities;
4. Repair the damage caused by the offense, unless he proves that it is unable to do so;
5. The agent has in his possession objects may facilitate the realization of another crime; Y
6. Other rules of conduct that the court considers appropriate for the social rehabilitation of the agent, provided that violates the dignity of the defendant.

Article 65.- Effects of breach

When the agent fail to comply with rules of conduct imposed for reasons attributable to their responsibility, the court may:

1. Make it a stern warning;

2. To extend the testing regime without exceeding half the original deadline. In no event exceed the cumulative three-year extension; or

3. Revoke probation.

Article 66.- Revocation of probation

Probation may be revoked when the agent commits a new intentional crime for which he is sentenced to deprivation of liberty than three years.

The revocation is mandatory when the penalty prescribed for the offense exceeds this limit. Revocation determines the application of the penalty corresponding to the offense, probation had not taken place.

Article 67.- Termination of probation

If the probation is not revoked shall be deemed terminated upon expiry of the deadline and trial as done.

CHAPTER VI

EXEMPTION PENA

Article 68.- Exemption penalty

The judge may exempt from criminal prosecution in cases where the offense is provided for by law with imprisonment not exceeding two years or with limited rights penalty or a fine, if the responsibility of the staff member is minimal.

CHAPTER VII

REHABILITATION

Article 69.- Rehabilitation Auto-Effects

Who has served his sentence or security measure it was imposed, or otherwise extinguished their responsibility is restored without further ado.

Rehabilitation the following effects:

1. Restores the individual rights suspended or restricted by the ruling. It does not produce the effect of replacing in fees, commissions or jobs which deprived him; Y
2. Cancellation of criminal, judicial and police records. The certificates should not express the rehabilitated punishment nor rehabilitation. (*) GRINDING FOR ERRATA

Article 70.- Prohibition of communication background

Produced rehabilitation, records or notes of any kind regarding the sentence imposed, can not be communicated to any person or entity.

TITLE IV

SAFETY MEASURES

Article 71.- Measures Classes security-

Security measures established by this Code are:

1. Hospitalization; Y

2. Outpatient treatment.

Article 72.- Requirements for application

Security measures are applied concurrently with the following circumstances:

1. The agent has carried out a fact foreseen as a crime; Y

2. That the fact and personality of the agent can be deduced a forecast of future behavior that reveals a high probability of committing new crimes.

Article 73.- Principle of Proportionality

Security measures must be proportionate to the criminal dangerousness of the agent, the severity of the offense committed and will probably be committed if untreated.

Article 74.- Internment

Hospitalization is income and inimputable treatment in a specialized hospital or other suitable establishment, for therapeutic purposes or custody.

will only be available only upon admission danger that the agent committed serious crimes considerably.

Article 75.- length of stay

The duration of the measure (*) GRINDING FOR ERRATA internment may not exceed the duration of imprisonment that would have been imposed for the crime committed.

Notwithstanding the judge requests every six months, the authority of inpatient facility shall submit to the court a medical expertise to let you know if the causes that implementation of the measure necessitated have disappeared.

In the latter case, the Judge will stop the internment measure imposed.

Article 76.- Outpatient treatment

Outpatient treatment will be established and applied in conjunction with it the relative imputable required for therapeutic or rehabilitative purposes.

Article 77.- Application of hospitalization before regretfully Computer

When you need to apply a measure attributable admission to a relative, or a drug addict or alcoholic imputable, the judge shall provide that it takes place before it. The length of stay is counted as time serving the sentence notwithstanding that the judge can take for termination of the sentence or reduce its duration in response to successful treatment.

TITLE V

CRIMINAL ACTION FIGHTING AND PENALTIES

Article 78.- grounds for termination

Criminal action is extinguished:

1. death of the accused, prescription, amnesty and the right of pardon.

2. res judicata.

3. Where appropriate only private action, it is, in addition to those set out in paragraph 1, by withdrawal or transaction extinguished. "(*)

(*) Article in force under modification established by Article 1 of Law No. 26993, published 11.24.98

Article 79.- Termination of criminal proceedings by civil judgment

criminal proceedings if the verdict handed down in the civil jurisdiction is extinguished, it appears that the alleged act as an offense is lawful.

Article 80. Limitation of criminal action - Time limits

Criminal action prescribes a time equal to the maximum penalty provided by law for the offense, if deprivation of liberty.

If real contest of crimes, the actions prescribed within the period prescribed separately for each.

In ideal case of offenses, the actions prescribed when a period equal to the maximum for the most serious offense has elapsed.

The prescription will not exceed twenty years. In the case of offenses punishable by life imprisonment criminal action is extinguished at thirty.

In crimes that merit other penalties, the action shall lapse after three years.

In cases of crimes committed by public officials and servants against property of the State or bodies held by it, the limitation period is doubled. (*) (**)

(*) Article in force under the amendment introduced by Article 2 of Law No. 26360, published on 09/29/94.

Note: This article was first amended by the single article of Law No. 26314, published on 05/28/94

(**) Article amended by Article 4 of Law No. 28117, published on 10-12-2003, which reads as follows.

"Article 80.- The penal action prescribed in a time equal to the maximum penalty provided by law for the offense, if deprivation of liberty.

If real contest of crimes, the actions prescribed within the period prescribed separately for each.

In ideal case of offenses, the actions prescribed when a period equal to the maximum for the most serious offense has elapsed.

The prescription will not exceed twenty years. In the case of offenses punishable by life imprisonment criminal action is extinguished at thirty.

In crimes that merit other penalties, the action shall lapse two years.

In cases of crimes committed by public officials and servants against property of the State or supported by this agency, the limitation period is doubled. "

Article 81.- Reduction of limitation periods

Limitation periods are reduced by half when the agent was less than twenty or more than sixty-five years at the time of the commission of the offense.

Article 82.- Commencement of limitation periods

Limitation periods for criminal proceedings begin:

1. In the attempt, from the day ceased criminal activity;
2. In the instant offense from the day consummated;
3. In the continuing offense, since the day that ended the criminal activity; Y
4. In the permanent crime, from the day it ceased permanence.

Article 83.- Interruption of prosecution

The statute of limitations is interrupted by the actions of the prosecutor or the judicial authorities and quashed the elapsed time.

After the interruption starts running a new limitation period from the day after the last stagecoach.

the statute of limitations is also interrupted by the commission of a new criminal offense.

However, criminal action prescribes, in any case, when the elapsed time exceeds half the regular limitation period.

Article 84. Prescription-Suspension

If the commencement or continuation of criminal proceedings depends on any matter to be resolved in other proceedings, it is considered suspended until that prescription be finalized.

Article 85.- Termination of execution of sentence-Cases

Execution of punishment is extinguished:

1. death of the offender, amnesty, pardon and prescription;
2. completion of sentence;
3. exemption from punishment; Y
4. forgiveness of the victim in crimes of private action.

Article 86.- Limitation period of penalty

The limitation period of punishment is the same as alluded to or established by law for the prescription of criminal action. The deadline shall be counted from the day when the sentence became final.

Article 87.- Interruption of the limitation period of sentence

the limitation period of sentence and quashed the elapsed time, the start of execution thereof have been apprehended or convicted because of the commission of a new intentional crime is interrupted.

Once the prescription interrupted, start running again if the case so requires, as if it had not previously initiated.

In cases of revocation of the suspended sentence or conviction reserve, prescription begins to run from the date of revocation.

However, the penalty prescribed in any case, in the same terms of prosecution.

Article 88.- individualization prescription

Prescription runs, suspended or interrupted separately for each of the participants in the offense.

Article 89.- Amnesty and Clemency-Effects

The amnesty law eliminates the offense referred to and involves perpetual silence about him.

Pardon suppresses the sentence.

Article 90.- Jeopardy

No one can be prosecuted for a second time because of an offense over which he definitely failed.

Article 91.- Waiver of limitations for criminal action

The accused has the right to waive the limitation for criminal action.

TITLE VI

REPAIR AND CIVIL CONSEQUENCES ACCESSORY

CHAPTER I

CIVIL SERVICE

Article 92.- civil Repair

Civil damages is determined in conjunction with it.

Article 93.- Contents of civil damages

Repair comprising:

1. The restitution of property or, if not possible, payment of their value; Y
2. Compensation for damages.

Article 94.- restitution of property

Restitution is made with the same good although it is in the possession of third parties, without prejudice to their right to claim its value against the appropriate parties.

Article 95.- Joint liability

Civil damages is solidarity between those responsible for the offense and forced others civilly.

Article 96.- Transmission of civil damages to heirs

The obligation of civil damages determined in the judgment to the heirs of charge to the extent of the assets of the estate is transmitted. The right to claim civil damages to the heirs of the victim is transferred.

Article 97.- Protection of civil damages

The practiced acts or obligations acquired after the offense are void as reduce the offender's assets and make it enough for repair without prejudice to any legal acts in good faith by third parties.

Article 98.- insolvent Condemned

If the convicted person does not have realizable assets, the judge will signal up to a third of their compensation for the payment of civil damages.

Article 99.- third parties responsible civil Repair

Appropriate civil action against third parties when the judgment in the criminal jurisdiction does not extend to them.

Article 100.- inextinguishability civil action

Civil action arising from the offense is not extinguished as long as the criminal proceedings.

Article 101.- additional application of the Civil Code

Civil damages are also governed by the relevant provisions of the Civil Code.

CHAPTER II

CONSEQUENCES ACCESSORY

Article 102.- Seizure or loss from the offense effects

The court shall decide the forfeiture or loss of effects from the criminal offense or instruments that it had executed unless belonging to third parties not involved in the infringement.

Article 103.- Proportionality

When the effects or instruments referred to in Article 102, non-illicit trade and its value is not commensurate with the nature and seriousness of the offense the court may not order the forfeiture or, where possible, decreeing only partially.

Article 104. Deprivation of profits from criminal offense to legal persons

The judge also order the deprivation of the benefits obtained by legal persons as a result of criminal offense committed in the exercise of their activity by its officers or dependents, as far as necessary to cover the liability of civil nature of those, if their assets are insufficient.

Article 105.- Measures applicable to legal persons

If the offense was committed in the exercise of the activity of any corporation or using your organization to encourage it or cover it up, the judge may apply all or some of the following measures:

1. closure of its premises or establishments, temporarily or permanently.

The temporary closure shall not exceed five years.

2. Dissolution of the partnership, association, foundation, cooperative or committee.

3. Suspension of the activities of the partnership, association, foundation, cooperative or committee for a term not exceeding two years.

4. Prohibition society, foundation, association, cooperative or committee to conduct future activities of the class of those whose exercise was committed, aided or concealed the crime.

The ban may be temporary or permanent basis. The temporary prohibition shall not exceed five years.

When any of these measures were applied, the judge will order the competent authority to arrange for the intervention of the legal entity to safeguard the rights of workers.

BOOK TWO

SPECIAL PART

OFFENSES

TITLE I

CRIMES AGAINST LIFE, BODY AND HEALTH

CHAPTER I

HOMICIDE

Article 106.- Simple Manslaughter

He who kills another shall be punished by imprisonment of not less than six nor more than twenty years.

Article 107.- Patricide

Anyone who knowingly kills his ancestor, descendant, natural or adoptive, or your spouse or common-law shall be punished by imprisonment of not less than fifteen years freedom.

Article 108.- Murder - Murder

It shall be punished with imprisonment of not less than fifteen years who kills another concurring any of the following circumstances:

1. ferocity, for profit or pleasure;
2. To facilitate or conceal another crime;
3. With great cruelty or treachery;
4. fire, explosion, poison or by any other means capable of endangering the life or health of others. (*)

(*) Current text under the amendment introduced by Article 1 of Law No. 27472 published on 06.05.2001

Note: This article was previously amended by Article 1 of Legislative Decree No. 896, published on 05/24/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on national security

MATCHING: R. Adm No. 185-2001-P-CSJLI-PJ.

Article 109.- violent emotion Manslaughter

He who kills another under the rule of a violent emotion that circumstances make it excusable, shall be punished by imprisonment not less than three nor more than five years.

If you go some of the circumstances provided for in Article 107, the penalty shall be not less than five nor more than ten years.

Article 110.- Infanticide

The mother who kills her child during childbirth or under the influence of puerperal state, shall be punished with imprisonment of not less than one nor more than four years, or community service of fifty-two hundred four days.

Article 111. Manslaughter

Which, because, causes the death of a person shall be punished with imprisonment not exceeding two years or community service of fifty-two hundred four days.

When there are several victims of the same offense or crime resulting from failure to observe technical profession, occupation or industry rules, the sentence of imprisonment shall be not less than two nor more than six years and disqualification under Article 36, paragraphs 4 6 and 7. (*)

(*) Article amended by Article 1 of Law No. 27753, published on 06/09/2002, which reads as follows:

"Article 111. Wrongful Death

Which, because, causes the death of a person shall be punished with imprisonment not exceeding two years or community service of fifty-two to one hundred and four days.

The deprivation of liberty shall be not less than four years nor more than eight years and disqualification, as appropriate, in accordance with Article 36 paragraphs 4), 6) and 7), when the agent has been driving a motor vehicle under the influence of drugs or drunk, with the presence of blood alcohol greater proportion of 0.5 grams-liter, or when there are several victims of the same offense or crime resulting from failure to observe traffic rules techniques.

The penalty shall not exceed four years if the crime results from failure to observe rules of profession, occupation or industry and when there are several victims of the same offense, the penalty shall not exceed six years. "

MATCHING: Law No. 27753, Article 3, 4 and Annex.

Article 112.- mercy killing

Which, for pity's sake, kills an incurable patient who asks expressly and consciously to end her intolerable pain, it shall be punished with imprisonment not exceeding three years.

Article 113. Incitement or assisted suicide

Anyone who instigates another to suicide or helps commit it, shall be punished, whether suicide is consummated or attempted, with imprisonment of not less than one nor more than four years.

The penalty shall be not less than two nor more than five years if the agent acted in a selfish motive.

CHAPTER II

ABORTION

Article 114.- self-abortion

A woman who causes her abortion, or consents to another you practice, shall be punished with imprisonment not exceeding two years or community service of fifty-two hundred four days.

Article 115.- Abortion consent

Which causes abortion with the consent of the pregnant woman shall be punished with imprisonment of not less than one nor more than four years.

If the death of the woman and the agent could foresee this result, the penalty shall be not less than two nor more than five years.

Article 116.- Abortion without consent

Which makes abortion a woman without her consent, it shall be punished by imprisonment of not less than three nor more than five years.

If the death of the woman and the agent could foresee this result, the penalty shall be not less than five nor more than ten years.

Article 117. Aggravation of it for the quality of the subject

The doctor, an obstetrician, pharmacist, or any health professional who abuses his science or art to cause abortion shall be punished with the penalty of 115th and 116th articles and disqualification under Article 36, paragraphs 4 and 8.

Article 118.- preterintencional Abortion

Which, with violence, causes an abortion, without having had the purpose of causing damage being noticeable or up costing pregnancy shall be punished with imprisonment not exceeding two years, or community service of fifty-two hundred four days .

Article 119.- Therapeutic Abortion

Not punishable abortion performed by a physician with the consent of the pregnant woman or her legal representative, if any, when it is the only way to save the life of the mother or to prevent her health serious and permanent damage.

Article 120.- sentimental and eugenic Abortion

The abortion shall be punished with imprisonment not exceeding three months:

1. When the pregnancy is the result of rape outside marriage or nonconsensual artificial insemination and occurred out of wedlock, provided that the facts shall have been reported or investigated, at least policed; or
2. When is likely to be in training may lead to serious birth physical or mental defects, provided there is medical diagnosis.

CHAPTER III

INJURIES

Article 121.- Serious

Which causes serious damage to the body or health it shall be punished by imprisonment of not less than three nor more than eight years. They are considered serious injuries:

1. putting in imminent danger the life of the victim.
2. mutilating a Member or principal organ of the body or make it unable to function, causing a person incapacity for work, disability or permanent mental disorder or severe disfiguring and permanently.
3. which inflicts other damage to bodily integrity or physical or mental health of a person requiring thirty or more days of care or rest, according to medical prescription.

When the victim dies as a result of the injury and if the agent could foresee this result, the penalty shall be not less than five nor more than ten years.

Article 121- A. Aggravated Forms - The youngest victim

In the cases mentioned in the first part of the previous article, when the victim is under fourteen years and the perpetrator is the parent, guardian, caregiver or responsible for that, the penalty is imprisonment of not less than five nor more than ten years suspension of parental according to paragraph b) of Section 83 of the Code of Children and Adolescents and disabling referred to Article 36, paragraph 5. (*)

The same penalty applies when the perpetrator is the spouse, partner, parent, natural or adoptive descendant or collateral relative of the victim.

If the victim dies as a result of the injury and the agent could foresee this result, the penalty shall be not less than six nor more than fifteen years. (**)

(*) Note: See Article 75 of Law 27337, published on 07/08/2000, which approved the Code of Children and Adolescents.

(**) Article inserted by Article 1 of Law No. 26788, published on 16/05/97.

Article 122. Minor injuries

Which causes other damage to the body or health that requires more than ten and less than thirty days of care or rest, according to prescription, shall be punished with imprisonment not exceeding two years and sixty to one hundred fifty days' fine.

When the victim dies as a result of the injury and the agent could foresee this result, the penalty shall be not less than three nor more than six years.

Article 122 ° A. Aggravating circumstances - The child as victim

In the case provided for in the first part of the previous article, when the victim is under fourteen years and the perpetrator is the parent, guardian, caregiver or responsible for that, the penalty shall be imprisonment for not less than three nor more than six years of parental suspension according to paragraph b) of Section 83 of the Code of Children and Adolescents and disabling referred to Article 36, paragraph 5. (*)

The same penalty applies when the perpetrator is the spouse, partner, parent, natural or adoptive descendant or collateral relative of the victim.

If the victim dies as a result of the injury and the agent could foresee this result, the penalty shall be not less than four nor more than eight years. (**)

(*) Note: See Article 75 of Law 27337, published on 07/08/2000, which approved the Code of Children and Adolescents.

(**) Article inserted by Article 1 of Law No. 26788, published on 05/16/97.

Article 123.- preterintencionales fortuitous result Injuries

When the agent produces a severe result would not cause, nor could foresee, the penalty will be reduced to prudentially corresponding to the injury that would infer.

Article 124.- negligent injury

Which causes because other damage to the body or health shall be punished by private action, with imprisonment not exceeding one year and sixty to one hundred and twenty days' fine.

Criminal action will be promoted by trade and the penalty shall be imprisonment for not less than one nor more than two years and sixty to one hundred and twenty days' fine, if the injury is severe.

When there are several victims of the same offense or crime resulting from the breach of technical rules, profession, occupation or industry, imprisonment shall be not less than two nor more than four years and disqualification under Article 36 paragraphs 4), 6) and 7). (*) (**)

(*) Article in force under the amendment introduced by the single article of Law No. 27054, published on 23/01/99.

(**) Article amended by Article 1 of Law No. 27753, published on 06/09/2002, which reads as follows:

"Article 124.- negligent injury

Which causes because other damage to the body or health shall be punished by private action, with imprisonment not exceeding one year and sixty to one hundred and twenty days' fine.

Criminal action will be promoted by trade and the penalty shall be imprisonment for not less than one nor more than two years and sixty to one hundred and twenty days' fine, if the injury is severe.

The deprivation of liberty shall be not less than three years nor more than five years and disqualification, as appropriate, in accordance with Article 36 paragraphs 4), 6) and 7), when the agent has been driving a motor vehicle under the influence of drugs or drunk, with the presence of blood alcohol greater proportion of 0.5 grams-liter, or when there are several victims of the same offense or crime resulting from failure to observe traffic rules techniques.

The penalty shall not exceed three years if the crime results from failure to observe rules of profession, occupation or industry and when there are several victims of the same offense, the penalty shall not exceed four years. "

MATCHING: Law No. 27753, Article 3, 4 and Annex.

"Article 124-A.- Conceived Damage

Which causes damage to the body or health of the unborn child shall be punished with rprivativa penalty of not less than one year nor more than three "(*)

(*) Article inserted by Article 1 of Law No. 27716, published on 08/05/2002.

CHAPTER IV

EXPOSURE TO DANGER OR ABANDONMENT OF PERSONS IN DANGER

Article 125.- or dangerous abandonment Exhibition

Which exposes danger of death or serious and imminent harm to health or abandoned in similar circumstances to a minor or a person unable to fend for herself legally under their protection or which are actually in their care shall be punished with imprisonment of not less than one nor more than four years. (*)

(*) Article in force under the amendment introduced by Article 2 of Law No. 26926, published on 02/21/98.

Article 126. Omission relief and exposure to danger

Which omits provide relief to a person who has injured or incapacitated, endangering his life or health it shall be punished with imprisonment not exceeding three years.

Article 127.- Omission of help or notice to the authority

He who finds a wounded or anyone else in a state of grave and imminent danger and omitted lend immediate assistance can do so without risk to himself or a third party or fails to give notice to the authority, it shall be punished with imprisonment not exceeding one year or thirty to one hundred and twenty days' fine.

Article 128.- Exposure to danger dependent person

Which exposes them to danger life or health of a person placed under his authority, dependency, guardianship or supervision, either by depriving them of food or indispensable care, either by subjecting it to excessive work or unsuitable or abusing means of correction or discipline shall be punished with imprisonment of not less than one nor more than four years. (1) (2)

(1) Article in force under modification established by Article 2 of Law No. 26,926, published 02.21.98.

(2) Article amended by the Second Final Provision of Law No. 28190, published on 18-03-2004, which reads as follows:

"Article 128.- exposing endanger the life or health of a person placed under his authority, dependency, guardianship or supervision, either by depriving them of food or indispensable care, either by subjecting it to excessive work, inadequate, is abusing the means of correction or discipline, is forcing or inducing her to beg in public places, it shall be punished with imprisonment of not less than one nor more than four years.

In cases where the agent has bond of blood relationship or the victim is under twelve years of age, the penalty is imprisonment of not less than two nor more than four years.

In cases where the agent compels or induces beg to two or more persons placed under its authority, dependency, guardianship or surveillance, imprisonment shall be not less than two nor more than five years. "

Article 129. Aggravated Forms

In cases of Articles 125 and 128, if it is serious injury or death and these could be provided, the penalty is imprisonment of not less than three nor more than six years in case of serious injury and not less than four nor more than eight cases of death. (*)

(*) Article in force under substitution established by Article 3 of Act No. 26,926, published 02.21.98.

CHAPTER V

GENOCIDE (*)

(*) This Chapter was repealed by Article 6 of Law No. 26926, published 2/21/98, however this criminal figure has been considered within the scope of Title XIV-A, Chapter I I incorporated by the same rule.

TITLE II

Offenses HONOR

CHAPTER ONE

INSULT, slander and defamation

Article 130.- Slander

Which it offends or insults a person with words, gestures or assault shall be punished with community service of ten to forty days or sixty to ninety days' fine.

Article 131.- Slander

Which falsely attributed to another crime, he shall be punished with ninety to one hundred and twenty days' fine.

Article 132.- Slander

Which, to several people, together or separately, but in ways that can spread the news, attributed to a person, an event, a quality or behavior that may damage his honor or reputation, it shall be punished with imprisonment not exceeding two years and thirty to one hundred and twenty days' fine.

If defamation refers to the fact referred to in Article 131, the penalty is imprisonment of not less than one nor more than two years and ninety to one hundred and twenty days' fine.

If the offense is committed through the book, the press or other media, the penalty is imprisonment of not less than one nor more than three years and one hundred twenty three hundred and sixty days' fine.

Article 133.- atypical behaviors

No slander or libel is committed when it comes to:

1. Offenses profit-defense proffered by the litigants, attorneys or lawyers in their written or oral statements before the judge.
2. literary, artistic or scientific reviews.
3. appreciations or information that contain unfavorable opinions when undertaken by a public official in compliance with its obligations.

Article 134.- proof of the truth of the allegations

The author of the offense under Article 132 ° can prove the truth of its complaints only in the following cases:

1. When the victim is a public official and facts, qualities or behaviors that he had attributed relate to the performance of their duties.
2. When the alleged acts is still open criminal proceedings against the person offended.
3. Where it is clear that the offender has acted in the interest of public cause or self-defense.
4. When the complainant formally requests that the process is followed to establish the truth or falsity of the facts or the quality or behavior that has been designated by.

If truth from facts, quality or behavior is proven, the author of the complaint shall be exempt from punishment.

Article 135.- Inadmissible test

It not supported in any case testing:

1. On complaint of any offense that had been the subject of a final acquittal in Peru or abroad.

"2) On any complaint that relates to personal and family privacy, or a crime of violation of sexual freedom or pandering covered in Chapters IX and X of Title IV, Book II." (*)

(*) Subparagraph effect under the amendment introduced by Article 1 of Law No. 27480 published on 06.13.2001.

Article 136.- Slander or insult disguised or misleading

The charges of defamation or libel covert or equivocal who refuses to give satisfactory explanations in court, will be considered libel or slander agent says.

Article 137.- reciprocal Injurias

In the case of reciprocal insults uttered in the heat of an argument, the judge may, according to circumstances, to exempt from punishment the parties or one of them.

There is punishable verbal personal injury caused by offenses.

Article 138.- Private practice of prosecution

In offenses under this Title shall proceed only private action.

If slander, libel or slander offends the memory of an allegedly dead or missing judicially declared absent or deceased, criminal proceedings may be promoted or continued by his spouse, parents, children or siblings.

TITLE III

FAMILY CRIMES

CHAPTER I

ILLEGAL MARRIAGES

Article 139.- Bigamy

The married married shall be punished with imprisonment of not less than one nor more than four years.

If for marital status, misleads the person contracts the new marriage penalty is imprisonment of not less than two nor more than five years.

Article 140.- Marriage with married person

The unmarried who knowingly marries a married person shall be punished with imprisonment of not less than one nor more than three years.

Article 141.- Authorization illegal marriage

The public official who knowingly enters into an illegal marriage shall be punished with no greater deprivation of not less than two five-year and disqualification of two to three years in accordance with Article 36, paragraphs 1, 2 and 3.

If the public official work because the penalty is disqualification not exceeding one year, in accordance with Article 36, paragraphs 1, 2 and 3.

Article 142. Failure to comply with legal formalities

The ordinary public official, priest or to proceed to the marriage without observing the formalities required by law, even if the marriage is not annulled, shall be punished with no more imprisonment of three years and disqualification from one to two years, under Article 36, paragraphs 1, 2 and 3.

CHAPTER II

CRIMES AGAINST MARITAL STATUS

Article 143.- Alteration or deletion of marital status

Which, to the detriment of others, alter or delete the marital status of another person shall be punished with imprisonment not exceeding two years or community service for twenty to fifty-two days.

Article 144.- Pretending of pregnancy or childbirth

A woman who feigns pregnancy or childbirth to give to a supposed child rights that do not belong, shall be punished with imprisonment of not less than one nor more than five years.

It imprisonment and also disqualification from one to three years, in accordance with Article 36, paragraph 4, shall apply to the doctor or obstetrician to cooperate in the execution of the crime.

Article 145.- Alteration or deletion of filiation lower

Whoever exposes or conceals a minor, replace it with another, it has under false affiliation or use any other means to alter or suppress their affiliation shall be punished with imprisonment of not less than one nor more than five years.

Article 146.- Mobile honor

If the agent of any of the offenses under this Chapter commits the act by a mobile honor the penalty is community service for twenty to thirty days.

CHAPTER III

ATTACKS CUSTODY

Article 147.- child abduction

Which, upon parental relationship, evades a minor or who refuses to surrender parental authority shall be punished with imprisonment not exceeding two years.

Article 148. Induction less leakage

Which induces a minor to leaking from the house of his parents or guardian or person responsible for his custody he shall be punished with imprisonment not exceeding two years or community service twenty a fifty-two days.

"Article 148 - A.-

Which instigates or induces minors to participate in pernicious gangs, or acts as their leader, leader or chief, to commit the offenses provided for in Chapter III-A of Title III of Book IV of the Code of Children and Adolescents, shall be punished with imprisonment of not less than ten (10) nor more than twenty (20) years. "(*) (**)

(*) Article inserted by the First Supplementary and Final Provision of Legislative Decree No. 899, published on 05/28/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on matters of national security.

(**) Note: See Articles 206 to 212 (Chapter IV of Title II of Book Four) of the TUO of the Code of Children and Adolescents approved by Supreme Decree No. 004-99-JUS, published on 08/04/99.

(***) Note: See arts. 193 to 199 (Chapter IV of Title II of Book IV) of Law No. 27337, Code of Children and Adolescents published on 08.07.2000.

CHAPTER IV

OMISSION OF FAMILY ASSISTANCE

Article 149. Failure to provide food

He who fails to fulfill its obligation to provide food that establishes a court decision shall be punished with imprisonment not exceeding three years, or community service for twenty to fifty-two days, subject to comply with the injunction.

If the agent has simulated other maintenance obligations in collusion with another person or resigns or leaves their job wickedly shall be not less than one nor more than four years.

If it is serious injury or death and these could be provided, it shall be not less than two nor more than four years in the event of serious injury, and not less than three nor more than six years in case of death.

Article 150. Abandonment of pregnant women and in critical condition

Which leaves a woman in gestation, which has pregnant and is in critical condition, it shall be punished by imprisonment of not less than six months nor more than four years and sixty to ninety days-fine.

TITLE IV

CRIMES AGAINST FREEDOM

CHAPTER I

VIOLATION OF PERSONAL LIBERTY

Article 151. Coercion

Which, by threat or violence, forces another to do what the law does not require or prevents you from doing what she does not prohibit shall be punished with imprisonment not exceeding two years.

Article 152. Kidnapping

shall be punished by not more imprisonment not less than ten to fifteen years, without right, reason or justified authority, deprives another of personal freedom, whatever the motive, purpose, method or circumstances or time the victim suffers deprivation or restriction of liberty.

The penalty shall be not less than twenty nor more than twenty-five when:

1. abused, corrupted, treated with cruelty or endangers the life or health of the victim.
2. nonexistent mental illness is pretexta in the injured party.
3. The injured party is official, public servant or diplomatic representative.
4. The victim is kidnapped by their activities in the private sector.

5. The victim is relative, the third degree of consanguinity or second affinity to persons referred to in paragraphs 3 and 4 above.

6. The victim is minor or elderly.

7. It aims to compel an official or public servant to release a detainee or an authority to grant illegal demands.

8. commits to force the victim to join a criminal group or a third person to give the agent of the crime financial aid or competition in any form.

9. with the aim of contributing to the commission of the crime of kidnapping, provides information that is known by reason or occasion of their duties, position or office, or knowingly provide the means for the perpetration of the crime.

. "10 It makes for somatic tissues of the victim, without serious physical or mental harm. "(2)

The penalty shall be life imprisonment when the victim resulting in serious damage to the body or physical or mental health, or killed during the kidnapping, or as a result of that act. (1)

(1) Current text under the amendment introduced by Article 1 of Law No. 27472 published on 05.06.2001

Note: This article was amended by Article 1 of Legislative Decree No. 896, published on 24/05/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on matters of national security.

This article was previously amended by the First Article of Law No. 26630, published on 21.06.96

(2) Subsection Third incorporated by transitory and final provision of Law No. 28189, published on 18-03-2004.

MATCHING: R.Adm. No. 185-2001-P-CSJLI-PJ

Law No. 27765, Art. 6

Article 153. Retention or transfer of a minor or incapacitated person

Who holds or moves from one place to another to a minor or a person unable to fend for itself, using violence, threats, deceit or other fraudulent act, in order to obtain economic benefit or social explode or financially to the victim, shall be punished by no greater deprivation of not less than four of 10 years and disqualification under Article 36, paragraphs 1, 2, 4 and 5.

If the agent commits the act in group or as a member of a gang, the penalty is imprisonment of not less than five nor more than twelve years, and disqualification under Article 36, paragraphs 1, 2, 4 and 5. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26309, published on 20/05/94

Article 153- A.- aggravated form - Abuse of a person related by minors or disabled persons

The official or public servant and managers of private entities, especially linked or generically with minors or disabled persons who, abusing their office, retained or transferred arbitrarily from one place to another it shall be punished by imprisonment of not less than five nor more than twelve years and disqualification under Article 36, paragraphs 1, 2, 4 and 5.

If you make the fact in order to obtain economic benefit or socially or economically the victim explode, shall be punished with imprisonment of not less than ten nor more than twenty years, and disqualification under Article 36, paragraphs 1, 2, 4 & 5. (*)

(*) Article added by Article 2 of Law No. 26309, published on 20/05/94

CHAPTER II

Invasion of privacy

Article 154. Violation of privacy

Which violates the privacy of personal or family life either watching, listening or recording an act, word, writing or image, using instruments, technical processes or other means, it shall be punished with imprisonment not exceeding two years.

The penalty shall be not less than one nor more than three years and thirty to one hundred and twenty days' fine, when the agent reveals the intimacy known before planned.

If you use any means of social communication, imprisonment shall be not less than two nor more than four years and sixty to one hundred and eighty days' fine.

Article 155.- Aggravated by reason of the function

If the agent is official or public servant and in holding office, commits the act provided for in Article 154, the penalty shall be not less than three nor more than six years and disqualification under Article 36 paragraphs 1, 2 and 4.

Article 156.- Disclosure of personal and family privacy

Which reveals aspects of personal privacy or family who knew the work occasion lent the victim or the person to whom it is entrusted, it shall be punished with imprisonment not exceeding one year.

Article 157. Misuse of computer files

Which, wrongly, organizes, provides or uses any file data on political or religious beliefs and other aspects of the intimate life of one or more persons shall be punished with imprisonment of not less than one nor more than four years.

If the agent is official or public servant commits the offense in holding office, the penalty shall be not less than three nor more than six years and disqualification under Article 36, paragraphs 1, 2 and 4.

Article 158.- Private Action

Offenses under this Chapter are prosecuted by private action.

CHAPTER III

Burglary

Article 159. Violation of domicile

Which, without the right, entering a dwelling or business house others in his office or on the premises occupied by another or staying there refusing the injunction that will make the person entitled to formulate, it shall be punished with imprisonment not more than two years and thirty to ninety days' fine.

Article 160.- illegal search of address

The official or public servant who raid a home, without the formalities prescribed by law or outside the cases it determines, shall be punished with imprisonment of not less than one nor more than three years and disqualification from one to two years as Article 36, paragraphs 1, 2 and 3.

CHAPTER IV

VIOLATION OF SECRECY OF COMMUNICATIONS

Article 161. Violation of correspondence

Which opens improperly, a letter, a sheet, telegram, radiogram, telephone office or other document of a similar nature, not be addressed to him or improperly seizes any of these documents, even if not closed, shall be punished by imprisonment not exceeding two years and sixty to ninety days' fine.

Article 162.- telephone interference

Which unduly interferes or listen to a telephone or similar conversation it shall be punished with imprisonment of not less than one nor more than three years.

If the agent is a civil servant, the sentence of imprisonment shall be not less than three nor more than five years and disqualification under Article 36, paragraphs 1, 2 and 4.

Article 163. Removal or improper loss of correspondence

Which wrongly deleted or misplace your destination an epistolary or telegraphic correspondence, even if you have not violated, it shall be punished with community service for twenty to fifty-two days.

Article 164.- improper publication of correspondence

The poster, wrongly, an epistolary or telegraphic correspondence, not intended for advertising, although it has been run, shall be punished if the act causes any harm to another, with limited time off from twenty to fifty-two days.

CHAPTER V

Breach of confidence

Article 165. Violation of professional secrecy

Which, having information because of their status, occupation, employment, profession or ministry, secrets whose disclosure would cause harm, reveals them without consent, shall be punished with imprisonment not exceeding two years and sixty one hundred twenty days' fine.

CHAPTER VI

VIOLATION OF FREEDOM OF REUNION

Article 166.- Disruption of public meeting

Which, by violence or threat, prevents or disturbs a lawful public meeting, it shall be punished with imprisonment not exceeding one year and sixty to ninety days' fine.

Article 167. Prohibition of lawful public meeting by a public official

The public official abusing his position does not permit does not guarantee, prohibits or prevents a public meeting, legally convened, it shall be punished by imprisonment for not less than two nor more than four years and disqualification from one to two years under Article 36, paragraphs 1, 2 and 3.

CHAPTER VII

VIOLATION OF FREEDOM OF WORK

Article 168.- attack against freedom of work and association

It shall be punished with imprisonment not exceeding two years forcing another by force or threat to do any of the following acts:

1. Incorporate a union or not.
2. To provide personal work without appropriate remuneration.
3. Working without conditions and industrial hygiene safety determined by the authority. The same penalty applies to consensual resolutions defaulting or executory issued by the competent authority; and that diminishes or distorts production, simulates reasons for closing the workplace or leaves it to extinguish labor relations. (*)

(*) Article in force under the amendment introduced by the Third and Final Repeal of Supreme Decree No. 001-97-TR, published on 01/03/97.

Note: This article was first amended by the Third and Final Repeal of Legislative Decree No. 857, published on 04/10/96.

CHAPTER VIII

VIOLATION OF FREEDOM OF EXPRESSION

Article 169. Violation of freedom of expression

The public official who, abusing his position, suspends or closes any means of social communication or prevents its circulation or dissemination, shall be punished by not more custodial sentence of not less than three to six years and disqualification under Article 36, paragraphs 1 and 2.

CHAPTER IX

VIOLATION OF SEXUAL FREEDOM

Article 170.- Sexual Violation

Who with violence or serious threat compels a person to practice sex or similar, it shall be punished by imprisonment for not less than four nor more than eight years.

If the violation is carried out armed and two or more subjects hand, the penalty shall be not less than eight nor more than fifteen years. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26293, published on 14/02/94

Article 171. Violation of person unconscious or unable to resist

Who practices sexual intercourse or similar with a person, after having put with that object in unconscious or unable to resist, shall be punished by no greater deprivation of liberty of not less than 5 to 10 years. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26293 published on 02.14.94

Article 172. Violation of person disability resistance

Who, knowing the status of their victim, practiced sex or similar with a person suffering from mental disorder, severe disturbance of consciousness, mental retardation or is unable to resist, it shall be punished with imprisonment not less than 5 nor more than 10 years (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26293, published on 14/02/94

Article 173. Violation of under fourteen years of age

Who practices sexual intercourse or similar with a person under fourteen years of age it shall be punished with imprisonment following:

1. If the victim is less than seven years, the penalty is life imprisonment.
2. If the victim is seven years less than ten, the penalty shall be not less than twenty nor more than thirty years.
3. If the victim is ten years less than fourteen, the penalty shall be not less than twenty nor more than twenty-five years.

Where a staff any position, office or family bond that gives him particular authority over the victim or drives him to deposit their trust in him, the penalty shall be not less than thirty years for the cases provided for in paragraphs 2 and 3. (*)

(*) Text in force as established by Article 1 of Law No. 27507 published on 13-07-2001.

Note: This article was previously amended by Article 1 of Law No. 27472 published on 06.05.2001.

This article was previously amended by Article 1 of Legislative Decree No. 896, published on 05/24/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on matters of national security.

Note: initially amended by Article 1 of Law No. 26293 published on 02/14/94.

MATCHING: R.Adm. No. 185-2001-P-CSJLI-PJ

A. Violation of Article 173 under fourteen years followed by death or serious injury

If the acts referred to in paragraphs 2 and 3 of the preceding article cause the death of the victim or would cause serious injury, and the agent could foresee this result or if it proceeded with cruelty, the penalty is life imprisonment.
"(*)

(*) Text in force as established by Article 1 of Law No. 27507 published on 13-07-2001.

Note: Current text under the amendment introduced by Article 1 of Law No. 27472 published on 06.05.2001

This above its amended by Article 1 of Legislative Decree No. 896, published on 24/05/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on matters of national security with Article

Note: This article was inserted by Article 2 of Law No. 26293 published on 02.14.94

MATCHING: R.Adm. No. 185-2001-P-CSJLI-PJ

Article 174. Violation of authority or person under surveillance

Which, taking advantage of the situation of dependency, authority or supervision practice sex or similar with a person placed in a hospital, nursing home or similar establishment or who is arrested, detained or internal, shall be punished with imprisonment not less than 5 nor more than 8 years and disabling two to four years, pursuant to Article 36, paragraphs 1, 2 and 3 (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26293 published on 02.14.94

Article 175.- Seducción

Who, by deceit practiced sex or similar, with a person of fourteen and under eighteen, it shall be punished with no more imprisonment of three years or community service from thirty to seventy-eight days. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26357, published on 28/09/94

Article 176.- indecent acts

The purpose of practicing without sex or similar, with violence or serious threat commits an act contrary to modesty in a person, it shall be punished with imprisonment not exceeding three years.

If the agent is in the circumstances provided for in Article 174th the penalty shall not exceed five years.

If it is found the victim in cases of 171st and 172nd Articles penalty will not exceed six years. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26293, published on 14/02/94

Article 176- A.- indecent acts on minors

The purpose of practicing without sex or similar, commits an act contrary assault on a person under fourteen years shall be punished with imprisonment following:

1. If the victim is less than seven years with not less than seven nor more worth than ten years.
2. If the victim has seven to ten years with no lesser penalty than five nor more than eight years.
3. If the victim is less than ten to fourteen, with no lesser penalty than four nor more than six years.

If the victim is in any of the conditions provided for in the last paragraph of Article 173 or the act has a particularly degrading nature or causes serious damage to health, physical or mental victim that the agent could foresee, it will not less than eight nor more than twelve years of imprisonment.

(*) Article in force under the amendment introduced by TO ARTICLE 1 of Law No. 27459 published on 05.26.2001.

Note: This article was originally built by Article 2 of Law No. 26293, published on 14/02/94

Article 177.- Aggravated Forms

In cases of Articles 170, 171,172,174,175 and 176, if the acts cause the death of the victim or would cause serious injury, and the agent could foresee this result or if it proceeded with cruelty, imprisonment shall respectively not less twenty nor more than 25 years, not less than 10 nor more than twenty years (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26293, published on 14/02/94

Article 178.- Liability special

In the cases covered in this chapter agent it will also sentenced to pay maintenance to the resulting offspring, applying the respective provisions of the Civil Code. (*)

(*) Article in force under modification established by Article 1 of Law No. 27115, published 17.05.99.

Note: This article was first amended by Article 2 of Law No. 26770 published on 04.15.97

Article 178-A.- Therapeutic Treatment

The sentenced to deprivation of liberty for effective offenses covered by this chapter, previous medical or psychological test to determine your application will be subjected to a therapeutic treatment to facilitate their rehabilitation.

In cases of suspension of execution of sentence and reserve conviction, the judge shall undergo a medical and psychological examination condemned to the effects which the preceding paragraph refers to. Subjecting therapeutic treatment it will be considered as a rule of conduct.

Prison benefits of semilibertad, conditional release and sentence remissions for work and education, and the right to a pardon and commutation of sentence, can not be granted without the corresponding medical and psychological report to rule on the evolution of therapeutic treatment. (*)

(*) Article inserted by Article 2 of Law No. 26293, published on 02/14/94

CHAPTER X

PROCURING

Matches: Law No. 27765, Art. 6

Article 179.- Favoring prostitution

Which promotes or encourages the prostitution of another person, it shall be punished by imprisonment of not less than two nor more than five years.

The penalty shall be not less than four nor more than twelve years when:

1. The victim is under fourteen.
2. The author uses violence, deception, abuse of authority or any means of intimidation.
3. The victim is discerning private for any reason.
4. The author is a relative within the fourth degree of consanguinity or second degree, or spouse, domestic partner, adoptive parent or guardian or has the victim in his care for any reason.
5. The victim is abandoned or extreme economic necessity.
6. The perpetrator made from pimping their trade or way of life.

Article 180.- Ruffianism

Which exploits the immoral earnings of a person exercising prostitution it shall be punished by imprisonment of not less than three nor more than eight years.

If the victim is under fourteen, or spouse, partner, descendant, adopted child, child of your spouse or your partner or if your care, the penalty shall be not less than four nor more than twelve years.

Article 181. Pimping

Whoever commits, it seduces or abducts a person to deliver it to another for the purpose of engaging in sexual relations, or that delivery for this purpose, shall be punished by imprisonment of not less than two nor more than five years.

The penalty shall be not less than five nor more than twelve years when:

1. The victim is under eighteen years of age.
2. The agent uses violence, threats, abuse of authority or other means of coercion.
3. The victim's spouse, concubine, descendant, adoptive child, spouse or child of his concubine, or if their care.
4. The victim is handed over to a pimp.

Article 182. Trafficking

Which promotes or facilitates the entry or departure or transfer within the territory of the Republic of a person to engage in prostitution, it shall be punished by imprisonment for not less than five nor more than ten years.

The penalty shall be not less than eight nor more than twelve years if average some of the aggravating circumstances listed in the previous article.

CHAPTER XI

PUBLIC OFFENSES assault

Article 183. Obscene Publications and Exhibitions

shall be punished by imprisonment of not less than two years, in public place, perform exhibitions, gestures, touching or other conduct of such obscene freedom.

It shall be punished by imprisonment of not less than three nor more than six years:

1. The showing, sale or delivery to a child under fourteen, objects, books, written, sound or auditory images which by their obscene nature, can seriously affect modesty, excite or pervert prematurely sexual instinct.
2. Anyone who incites a child under fourteen to drunkenness or practice of an obscene act or facilitates entry into brothels or other places of corruption.
3. The administrator, caretaker or person authorized to control a movie or another show where obscene performances, allowing access a child under fourteen are displayed.

(*) Article in force under the amendment introduced by TO ARTICLE 1 of Law No. 27459 published on 05.26.2001.

Article 183-A.- Child Pornography

Which owns, it promotes, manufactures, distributes, exhibits, offers, sells or publishes, imports or exports objects, books, written, visual or auditory images, or performs live shows pornographic, in which it is used for children under fourteen to eighteen years of age he shall be punished with no greater deprivation of not less than four out of six years and one hundred twenty to three hundred sixty-five fine days.

When the minor is under fourteen years of age it is not less than four nor more than eight years and one hundred fifty to three hundred sixty-five day ticket.

If the victim is in any of the conditions provided for in the last paragraph of Article 173, the imprisonment shall be not less than eight nor more than twelve years.

If so, the agent will be disabled under Article 36, paragraphs 1), 2), 4) and 5). "

(*) Article inserted by TO ARTICLE 2 Law No. 27459 published on 05.26.2001.

CHAPTER XII

DISPOSITION COMUN

Article 184. Punishment for accomplices

Ascendants, descendants, direct relatives, brothers online and anyone with abuse of authority, custom or trust, cooperate in the perpetration of crimes under the IX, X and XI Chapters of this Title acting in the manner prescribed by first paragraph of Article 25 shall be punished with the punishment of the perpetrators.

TITLE V

Crimes against property

CHAPTER I

THEFT

Article 185.- Simple Larceny

Anyone who, for profit, unlawfully seizes a cabinet wholly or partly foreign well, removing it from where it is located, shall be punished with imprisonment of not less than one nor more than three years.

Are equated movable electricity, gas, water and any other energy or element having an economic value, and the electromagnetic spectrum.

Article 186.- Aggravated Theft

The agent shall be punished with no greater deprivation of not less than three to six years if the theft is committed:

1. dwelling house.
2. overnight.
3. By dexterity, scaling, destruction or breakage of obstacles.
4. On the occasion of fire, flood, shipwreck, public calamity or misfortune particularly aggrieved.
5. On the movable property forming the luggage of travelers.
6. Through the participation of two or more people.

The penalty shall be not less than four nor more than eight years if the theft is committed:

1. For an agent acting as a member of an organization to perpetrate these crimes.
2. goods or scientific value integrating the cultural heritage of the nation.
3. Using systems of electronic funds transfer, telematics in general, or the violation of the use of secret keys.
4. Placing the victim or his family in dire economic situation.
5. With use of explosive materials or devices for destruction or breakage of obstacles.

The penalty shall be not less than eight nor more than fifteen years when the agent acts as head, leader or leader of an organization to perpetrate these crimes. (*)

(*) Article was amended by Article 1 of Law 26319, published on 01/06/94

Article 187. Larceny of use

Which it subtracts a foreign chattel in order to make temporary use and returns shall be punished with imprisonment not exceeding one year.

CHAPTER II

STOLE

Article 188. Robbery

Which seizes illegitimately a total cabinet or in part outside well, to take advantage of it, removing it from where it is, using violence against the person or threatening with an imminent danger to life or physical integrity it will be punished by imprisonment of not less than three nor more than eight years. (*)

(*) Current text under the amendment introduced by Article 1 of Law No. 27472 published on 06.05.2001

(*) This article was previously amended Article 1 of Legislative Decree No. 896, published on 05/24/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on citizen security

Current text under the amendment introduced by Article 1 of Law No. 27472 published on 06.05.2001

Note: This article was amended initially by Article 1 of Law No. 26319 published on 06.01.94

MATCHING: R.Adm. No. 185-2001-P-CSJLI-PJ

Article 189. Aggravated robbery

The penalty shall be not less than ten nor more than twenty years if the theft is committed:

1. dwelling house.
2. At night or in desolate place.
3. armed robbery.
4. With the participation of two or more people.
5. In any means of transportation public or private transportation of passengers or freight.
6. Pretending to be an authority or public servant or private sector worker or showing false command authority.
7. perpetrated against minors or the elderly.

The penalty shall be not less than twenty nor more than twenty-five years if the theft is committed:

1. When damage is caused to the physical or mental integrity of the victim.
2. Abuse of physical or mental incapacity of the victim or by using drugs and / or chemical inputs or drugs against the victim.
3. Placing the victim or his family in dire economic situation.
4. On or scientific value goods that integrate the cultural heritage of the nation.

The penalty shall be life imprisonment when the agent acting as a member of a criminal organization or band, or if as a result of the fact the death of the victim or causes serious bodily or mental harm occurs. (*)

(*) Current text under the amendment introduced by Article 1 of Law No. 27472 published on 06.05.2001

(*) This article was previously amended by Article 1 of Legislative Decree No. 896, published on 24/05/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on citizen security

Note: This article was first amended by Article 1 of Law No. 26630 published on 21.06.96

CHAPTER II "A"

Abigeato (*)

(*) Chapter incorporated by Article 1 of Law No. 26326, published on 06/04/94, provision is effective 60 days after its publication in accordance with Article 3 of the Act.

Article 189-A.- cattle theft

Anyone who, for profit, seizes illegitimately *auquénido* wholly or partly foreign cattle, sheep, horses, goats, pigs or, even if it is a single animal, removing it from where it is located, shall be punished by imprisonment of not less than one nor more than three years.

If any of the circumstances set forth in paragraphs 1, 2, 3, 4 and 5 of the first paragraph of Article 186th, the penalty is imprisonment of not less than three nor more than six years.

If the offense is committed in accordance with paragraphs 2, 4 and 5 of the second paragraph of Article 186th, the penalty shall be not less than four nor more than ten years.

The penalty shall be not less than 8 nor more than 15 years when the agent acts as head, leader or leader of an organization to perpetrate these crimes.

Article 189-B.-use cattle theft

Which he subtracts *won alien*, in order to make temporary use and returns, directly or indirectly within a period not exceeding seventy-two hours (*) GRINDING FOR ERRATA shall be punished with imprisonment not exceeding one year or service delivery to the community of no more than fifty days. If the return of the animal occurs after that period has elapsed, the previous article shall apply.

Article 189-C Cattle Theft

Which seizes illegitimately *auquénido* wholly or partly foreign cattle, sheep, horses, goats, pigs or, even if it is a single animal, removing it from where it is, using violence against the person or threatening with an imminent danger to life or physical integrity, it shall be punished by imprisonment of not less than three nor more than eight years.

The penalty is imprisonment of not less than five nor more than fifteen years if the offense is committed with the participation of two or more persons or the offender had inflicted serious injury to another or carrying any kind of weapon or instrument that may serve as such.

If violence or threats were insignificant, the penalty will be reduced by one third.

The penalty shall be not less than ten nor more than twenty years if the offense under paragraphs 1, 2, 3, 4 and 5 of the second paragraph of Article 189th.

The penalty shall be not less than fifteen nor more than twenty-five years if the agent acts as head, leader or leader of an organization to perpetrate these crimes.

In cases of insolvency with crimes against life, body and health, it applies without prejudice to other more serious that may correspond in each case.

CHAPTER III

ILLICIT APPROPRIATION

Article 190.- common illicit appropriation

Which, to their advantage or a third party, misappropriates a chattel, a sum of money or value that you have received on deposit, commission, administration or similar title that produce obligation to deliver, return, or make a particular use shall be punished by imprisonment of not less than two nor more than four years.

If the agent acts as conservator, guardian, executor, trustee, sequestrator or in the exercise of a profession or industry for which have title or official authorization, the penalty shall be imprisonment for not less than three nor more than six years .

When the agent appropriates goods for the relief of populations suffering the consequences of natural disasters or other similar penalty is imprisonment of not less than four nor more than ten years.

Article 191. Abduction own good

The owner of a chattel that subtracts it from whoever has it in his power legitimately, to the detriment of the latter or a third party, shall be punished with imprisonment not exceeding four years.

Article 192.- irregular Appropriation

shall be punished with imprisonment not exceeding two years or limitation of days off from ten to twenty days, who does any of the following:

1. appropriates a well that is lost or treasure, or the share of treasure owner of the land without observing the rules of the Civil Code.
2. appropriates belonging to other persons whose ownership has entered following an error, accident or any other reason independent of his will.

Article 193.- Ownership pledge

The selling incorporated in their favor or appropriates or have it without observing the legal formalities, it shall be punished with imprisonment of not less than one nor more than four years garment.

CHAPTER IV

RECEIVING

Article 194. receptación

Which acquires, receives a donation or pledge or guardian, hides, sells or helps negotiate a good whose criminal origin knew or should presume that came from a crime shall be punished with imprisonment of not less than one nor more three years and, with thirty to ninety days-fine.

Article 195. Aggravated Forms

The penalty is imprisonment of not less than two nor more than six and thirty to ninety days' fine, if:

- 1.The agent is dedicated to trade in objects from delinquent actions.

2. Se property is owned by the state for public service. (*)

(*) Article repealed by Article 2 of Decree Law No. 25428 published on 11.04.92

Note: This article originally was replaced by the single article of Law No. 25404, published on 02/26/92, then that provision was repealed by Article 2 of Decree Law No. 25428

CHAPTER V

FRAUD AND OTHER Frauds

Article 196. Fraud

Which seeks for himself or for other unlawful purposes detriment of third, inducing or maintaining error wronged by deceit, cunning, trickery or other fraudulent manner, it shall be punished with imprisonment of not less than one nor more than six years .

Article 197. Cases of fraud

Defrauding shall be punished with imprisonment of not less than one nor more than four years and sixty to one hundred and twenty days' fine when:

1. simulation is performed using trial or other procedural fraud.
2. abused blank signature, a document extending detriment or third signer.
3. If the commission agent or any other agent alters their accounts prices or terms of contracts, assuming overstating expenses or those who had not.
4. sale or gravel, as free goods, which are disputed or are seized or taxed and when sold, gravel or lease the goods themselves as outsiders.

CHAPTER VI

FRAUD IN THE ADMINISTRATION OF CORPORATIONS

Article 198. Fraudulent Management

shall be punished with imprisonment of not less than one nor more than four years, in his capacity as founding member of the board or the board of directors or supervisory board, manager, administrator or liquidator of a legal person, makes to the detriment of her or third parties, any of the following acts:

1. Hide shareholders, partners, associates or third parties, the real situation of the legal person, falsifying balance sheets, reflecting or omitting in the same profit or loss or using any device that involves an increase or decrease in the accounting items.
2. To provide false information as to the status of a legal person.
3. To promote, by any fraudulent means, false quotes, securities or shares.
4. OK, being prohibited from doing so, shares or securities of the same legal entity as a credit guarantee.
5. Forging balances to reflect and distribute utilities exist.
6. Skip communicate to the board, board of directors, board of directors or similar body, about the existence of own interests that are incompatible with those of the legal person.

7. Assume corporate loans.

8. Use own benefit, or otherwise, the estate of the person.

Article 199. Parallel Accounting

Which, in order to obtain undue advantage, keeps parallel accounting other than that required by law, shall be punished with imprisonment not exceeding one year and sixty to ninety days' fine. (*)

(*) Rectified by Errata, published on 10/04/91.

CHAPTER VII

EXTORTION

Article 200.- Extortion

Which through violence, threat or keeping hostage a person requires this or another to give the agent or a third party an undue or any other economic advantage, shall be punished by not more custodial sentence of not less than six twelve years.

The penalty shall be imprisonment for not less than twenty years when:

1. The hostage is minor.
2. The kidnapping lasts more than five days.
3. cruelty used against the hostage.
4. The hostage exercises public or private office or diplomatic representative.
5. The hostage is invalid or suffers from disease.
6. It is committed by two or more people.

The penalty shall be not less than twenty-five years if the hostage dies and no less than twelve nor more than fifteen years if the hostage suffers serious bodily or mental harm. "(*)

(*) Current text under the amendment introduced by Article 1 of Law No. 27472 published on 06.05.2001

(*) This article anteriormene was amended by Article 1 of Legislative Decree No. 896, published on 05/24/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on national security

MATCHING: R.Adm. No. 185-2001-P-CSJLI-PJ

Article 201. Blackmail

Which, by telling another that is about to publish, report or disclose a fact or conduct the disclosure may harm person or a third party who is closely linked, is determine or determined to buy his silence it shall be punished by imprisonment of freedom not less than three nor more than six years and three hundred and sixty to one hundred and eighty days' fine.

CHAPTER VIII

USURPATION

Article 202.- Usurpation

It shall be punished with imprisonment of not less than one nor more than three years:

1. Anyone who, to appropriate all or part of a building, destroys or alters the boundaries thereof.
2. Whoever, by violence, threat, deception or abuse of trust, deprives another, totally or partially, possession or possession of a property or exercise of a right.
3. Whoever, by violence or threat, peat possession of a property.

Article 203. Illegal Diversion of the flow of water

Which, in order to obtain for himself or for another an unlawful advantage to the detriment of third, deflects the course of public or private water, prevents run through its course or used in a greater amount due shall be punished with imprisonment of not less than one nor more than three years.

Erratum, published on 04/10/91

Article 204.- Aggravated Forms

The penalty is imprisonment of not less than two nor more than six years when:

1. Counterfeiting is performed using firearms, explosives or any other dangerous instrument or substance.
2. involve two or more people.
3. The property is reserved for residential purposes.
4. This is state property or intended for public services or peasant or native communities. (*)

(*) Rectified by Errata, published on 04/10/91 in the official gazette El Peruano

CHAPTER IX

DAMAGE

Article 205.- Simple Damage

Whoever damages, destroys or disables good, real or personal, in whole or in part outside shall be punished with imprisonment not exceeding two years and thirty to sixty days' fine.

Article 206.- Aggravated Forms

The penalty for the offense under Article 205 ° is imprisonment of not less than one nor more than six years when:

1. Is executed in real scientific value, artistic, historical or cultural, as long as the place where they are located are delivered to the public or intended service trust, the utility or reverence of an indeterminate number of people.
2. Rests on media or roads, dams or canals or facilities for the public service.
3. The action is executed using violence or threats against individuals.
4. Cause destruction of plantations or death of animals.
5. It is made in goods whose delivery has been ordered by the court.

Article 207. Production or sale of spoiled food for animals

Whoever produces or sells food, preservatives, additives and mixes for animal consumption, falsified, corrupted or damaged, the consumption of which generates danger to life, health or physical integrity of animals, shall be punished with imprisonment not exceeding one year and thirty to a hundred days' fine.

"CHAPTER X

CYBERCRIME

Article 207-A.- Cybercrime

Whoever uses or type unduly to a database, system or computer network or any part thereof, to design, implement or alter a scheme or similar, or to interfere with, intercept, access or copy information in transit or contained in a database, shall be punished with imprisonment not exceeding two years or community service of fifty-two hundred four days.

If the agent acted in order to obtain economic benefit, it shall be punished with no more imprisonment of three years or community service not less than one hundred four days.

Article 207-B.- Alteration, damage and destruction of database, system, network or computer program

Whoever uses login or unduly interferes with a database, system, network or computer program or any part thereof in order to alter, damage or destroy, it shall be punished by not more custodial sentence of not less than three seventy five and ninety days fine.

Article 207-C.- aggravated Computer Crime

In the cases of 207-A and 207-B items, the penalty is imprisonment of not less than five nor more than seven years when:

1. The agent accesses a database, system or computer network, using privileged information obtained based on their charge.
2. The agent endangers national security. "(*)

(*) Chapter incorporated by the single article of Law No. 27309, published on 07/17/2000.

"CHAPTER XI

DISPOSITION COMUN

Article 208. absolving excuse - exemption from punishment

no punishment, subject to civil damages, theft, appropriation, fraud or damages caused:

1. spouses, cohabitants, ascendants, descendants and direct relatives.
2. The widowed spouse in respect of the property of her deceased spouse, until they have passed to third.
3. The brothers and in-laws, if they lived together. "

(*) Chapter incorporated by the single article of Law No. 27309, published on 07/17/2000.

TITLE VI

"CHAPTER I

ATTACKS THE CREDIT SYSTEM "(*)

(*) Title effect under the amendment introduced by the Eighth Final Provision of Law No. 27146, published on 24/06/99.

Article 209. Unlawful Acts

Shall be punished by not more custodial sentence of not less than three six years and disqualification of three to five years under Article 36 paragraphs 2) and 4), the debtor, the person acting on its behalf, the administrator or liquidator that in an insolvency procedure, simplified procedure, bankruptcy proceedings, transitional or other procedure rescheduling any obligations outside their denomination, conduct, to the detriment of creditors, any of the following behaviors:

1. Concealment of property;
2. Simulation, acquisition or realization of debts, divestitures, expenses or losses; Y,
3. Performing acts of asset disposition or obligating intended to pay one or more creditors, preferred or not, deferring the payment of other creditors. If there has been collusion with the beneficiary creditor, this or the person acting on its behalf, shall be punished with the same penalty.

If the Board of Creditors has adopted the rescheduling of obligations insolvency proceedings, simplified procedure, bankruptcy proceedings, transitional or other procedure rescheduling obligations whatever be their denomination, as the case or the agreement of liquidation or bankruptcy agreement, the acts described in paragraph 3) will be sanctioned only if they contravene such rescheduling or agreement. Also, if the chaos of a liquidation declared by the Commission, as stated in the relevant law, the acts described in paragraph 3) will only be sanctioned if they contravene the development of such liquidation.

If the agent makes some of the acts described in items 1), 2) or 3) when it finds it suspended chargeability of debtor's obligations as a result of a process of bankruptcy, simplified procedure, reorganization, transient or other procedure rescheduling any obligations outside their denomination, it shall be punished by no greater deprivation of liberty of not less than four of eight years and disqualification from four to five years, in accordance with Article 36 paragraphs 2) and 4). (*)

(*) Article in force under the amendment introduced by the First Final and Transitory Provision of Law No. 27295, published on 06/29/2000.

(*) This article was first amended by the Eighth Final Provision of Law No. 27146, published on 06/24/99.

NOTE: According to the Ninth Final Provision of Law No. 27146, published on 6/24/99, before exercising criminal proceedings in relation to the matter of asset restructuring, the prosecutor must request the technical report of INDECOPI, the which must be issued within a period of five (5) business days. This report shall be assessed by the competent organs of the Public Ministry and the Judiciary on the basis of the opinions or respective resolutions; the same that has been collected by Supreme Decree No. 014-99-ITINCI, consolidated text of the Law of Equity Restructuring, published on 11/01/99.

Article 210.- Crime Commission because the agent

If the agent makes for some because of the conduct described in Article 209, the maximum and minimum of the imprisonment and disqualification will be reduced by half. (*)

(*) Article in force under the amendment introduced by the Eighth Final Provision of Law No. 27146, published on 24/06/99.

NOTE: According to the Ninth Final Provision of Law No. 27146, published on 6/24/99, before exercising criminal proceedings in relation to the matter of asset restructuring, the prosecutor must request the technical report of INDECOPI, the which must be issued within a period of five (5) business days. This report shall be assessed by the competent bodies of the Ministry public and the judiciary on the basis of the opinions or respective resolutions; the same that has been collected by Supreme Decree No. 014-99-ITINCI, consolidated text of the Law of Equity Restructuring, published on 11/01/99.

Article 211.-Suspension unlawful the fulfillment of obligations of the debtor

Which in insolvency proceedings, simplified procedure, bankruptcy proceedings, transitional or other procedure rescheduling obligations whatever be their denomination, will achieve the suspension of the enforceability of the debtor's obligations through the use of information, documentation or false accounting or simulating obligations or liabilities, shall be punished by no greater deprivation of not less than four six years and disqualification from four to five years, in accordance with Article 36 paragraphs 2) and 4). (*)

(*) Article in force under the amendment introduced by the First Final and Transitory Provision of Law No. 27295, published on 06/29/2000.

(*) This article was first amended by the Eighth Final Provision of Law No. 27146, published on 06/24/99.

NOTE: According to the Ninth Final Provision of Law No. 27146, published on 6/24/99, before exercising criminal proceedings in relation to the matter of asset restructuring, the prosecutor must request the technical report of INDECOPI, the which must be issued within a period of five (5) business days. This report shall be assessed by the competent organs of the Public Ministry and the Judiciary on the basis of the opinions or respective resolutions; the same that has been collected by Supreme Decree No. 014-99-ITINCI, consolidated text of the Law of Equity Restructuring, published on 11/01/99.

Article 212. Collaboration Benefits

It may be reduced it to below the legal minimum in the case of authors and exempted from punishment venturer, being incurred in an investigation by the public prosecutor or the development of criminal proceedings for any offense punishable under this Chapter , provide effective information that allows:

1. Avoid continuity or consummation of the crime.
2. Know the circumstances in which the offense was committed and to identify the perpetrators and participants.
3. Know the whereabouts or fate of the real material object of the offense and its restitution to the estate of the debtor. In such cases the goods will be used to pay the obligations of the debtor under the law of matter.

The author's sentence will be reduced by two thirds compared to the legal maximum and the participant will be exempt from punishment if, during the investigation by the public prosecutor or the conduct of criminal proceedings in which they were incur voluntarily reinstates the goods or delivers sum equivalent to its value, the same that will be used to pay its obligations under the relevant law. Reduction or exemption from punishment will only apply to the person or persons made restitution or delivery of the indicated value. (*)

(*) Article in force under the amendment introduced by the Eighth Final Provision of Law No. 27146, published on 24/06/99.

Article 213.-exercise of criminal action and intervention of INDECOPI

In crimes under this chapter shall proceed only private action before the Public Ministry. The National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPi), through its appropriate organs, denounce the fact in default exercise of private action and in any case may intervene as an interested party in criminal proceedings which is put in place. (*)

(*) Article in force under the amendment introduced by the Eighth Final Provision of Law No. 27146, published on 24/06/99.

Article 213-A.- illegal handling of heritage sole purpose

The trust factor or person exercising the trust domain on a trust estate, or the director, manager or person exercising the administration of a special purpose company, in own or third parties benefit, perform acts of alienation, encumbrance, acquisition or other in contravention of the purpose for which it was constituted heritage sole purpose shall be punished with imprisonment of not less than two (2), no more than four (4) years and disqualification from one to two (2) years under Article 36, paragraphs 2) and 4). (*)

(*) Article added by the Twelfth Final Provision of Legislative Decree No. 861, published on 10/22/96.

CHAPTER II

USURY

Article 214. Usury

Which, in order to obtain a financial advantage for himself or for another, in granting a loan or grant, renewal, discount or extension of the payment period, requires or makes promise to pay a higher interest than the limit set by law, it shall be punished with imprisonment of not less than one nor more than three years and twenty to thirty days' fine.

If the victim is incapable person or is in need, the imprisonment shall be not less than two nor more than four years.

CHAPTER III

BYPASS AND UNDUE COLLECTION

Article 215. Modalities of undue payment orders

shall be punished by imprisonment of not less than one nor more than five years, rotate, transfer or cash a check, in the following cases:

- 1) When you turn without providing sufficient funds or authorization to overdraw the current account;
- 2) When frustrated mischievously payment by any means;
- 3) When you turn knowing that at the time of submission may not legally be paid;
- 4) When revoke the check for legal deadline for collection, false cause;
- 5) When using any means to impersonate the payee or the endorsee, whether in their identity or firms; or modify its terms, crossing lines, or any other formal requirements of the check;
- 6) When you endorse knowing that no funding.

In cases of paragraphs 1) and 6) it requires the protest or express record set by the drawee bank in the same document, stating the reason for nonpayment.

With the exception of paragraphs 4) and 5) There shall be no criminal prosecution if the agent pays the total amount of the check within three working days of the date of writing and formally called, either directly, notarial, judicial or any other means with reliable delivery shall be extended to the drawer. "(*) (**)

(*) Rectified by Errata published on 10/04/91 day.

(**) Article in force under the amendment introduced by the Fourth Amending Provision of Law No. 27287-Securities Act, published on 19/06/2000.

TITLE VII

Crimes against Intellectual Property Rights

CHAPTER I

CRIMES AGAINST COPYRIGHT AND RELATED

Article 216. Unauthorized copying or reproduction

It shall be punished with deprivation of liberty for one to three years and ten to sixty days' fine, who is authorized to publish a work, does so in any of the following ways:

- a. Not to mention on the copies the name of the author, translator, adapter, compiler or arranger.
- b. Stamp the name with additions or deletions affecting the reputation of the author as such, or, where applicable, the translator, adapter, compiler or arranger.
- c. Publish the work with abridgements, additions, deletions, or any other modification without the consent of the rightholder.
- d. Published several works separately when authorization has been given to publish them together; or publish them together only when he has authorized the publication of them separately. (*) (**)

(*) Article in force under the amendment introduced by the Third Final Provision of Legislative Decree No. 822, published on 24/04/96.

(**) Article amended by Article 1 of Law No. 27729, published on 24-05-2002, which reads as follows:

"Article 216. shall be punished by imprisonment for not less than two nor more than four years and ten to sixty days' fine, who is authorized to publish a work and does so in one of the following ways:

- a. Not to mention on the copies the name of the author, translator, adapter, compiler or arranger.
- b. Stamp the name with additions or deletions affecting the reputation of the author as such, or, where applicable, the translator, adapter, compiler or arranger.
- c. Publish the work with abridgements, additions, deletions, or any other modification without the consent of the rightholder.
- d. Published several works separately when authorization has been given to publish them together; or publish them together only when he has authorized the publication of them separately. "

Article 217. Dissemination, distribution and circulation of the work without the author's consent

shall be punished by imprisonment for not less than two nor more than six years and thirty to ninety days' fine, which with respect to a work, interpretation or performance, phonogram, or broadcast or broadcast transmission, or audiovisual recording or photographic image expressed in any form, performs any of the following acts, without the prior written consent of the author or rights holder:

to. The change in whole or in part.

b. The reproduced wholly or partly by whatever means.

c. Distribute it through sale, rental or public lending.

d. Communicate or the public by any means or procedures reserved the right holder.

and. The reproduce, distribute or communicate in greater numbers than authorized in writing. (*)

(*) Article in force under the amendment introduced by the Third Final Provision of Legislative Decree No. 822, published on 24/04/96.

218. Plagiarism and marketing of work

The penalty shall be imprisonment for not less than two nor more than eight years and sixty to one hundred and twenty days' fine when:

to. It is made known to any person an unpublished or undisclosed work that has been received in confidence from the owner of copyright or someone on your behalf, without the consent of the owner.

b. Reproduction, distribution or public communication, is done for marketing purposes, or altering or deleting the name or pseudonym of the author, producer or holder of rights.

c. Knowing the illicit origin of the copy or reproduction, distribution to the public by any means, stored, hide, enter the country or removed from it.

d. We manufacture, assemble, import, modify, sell, lease, offer for sale or rent, or put otherwise in devices circulation systems, schemes or equipment capable of circumventing another device intended to prevent or restrict copying of works, or impair the quality of copies made; or able to allow or encourage the reception of an encrypted broadcast or otherwise communicated to the public, program by those not authorized to do so.

and. It is entered in the Register of Copyright the work, performance, production or broadcast of others, or any other intellectual property, as if they were their own, or as someone other than the true owner of the rights. (*)

(*) Article in force under the amendment introduced by the Third Final Provision of Legislative Decree No. 822, published on 24/04/96.

Article 219°.-false attribution of authorship of work

shall be punished by imprisonment of not less than two nor more than eight years and sixty to one hundred and eighty day-fines, which with respect to a work, disseminate it as their own, in whole or in part, copying or reproducing verbatim, or trying to hide the copy by making certain alterations or by attributing to another, the authorship or ownership of others. (*)

(*) Article in force under the amendment introduced by the Third Final Provision of Legislative Decree No. 822, published on 24/04/96.

Article 220°.-aggravated forms

It shall be punished with no greater deprivation of not less than four of eight and ninety three hundred and sixty days' fine:

to. Who falsely attributed the quality of original holder or derivative of any of the rights protected under the law of copyright and neighboring rights and that improper attribution causes the competent authority to suspend an act of communication, reproduction or distribution the work, performance, production, broadcast or any other protected intellectual property.

b. Who do own activities of collective management of copyright or related rights without proper authorization from the competent administrative authority.

c. Which false statements regarding income certifications; public assistance; repertoire used, identification of perpetrators; allegedly obtained authorization; number of copies produced, sold or distributed free of charge or any other adulteration likely to cause injury to any of the holders of copyright or related data.

d. If the agent who commits the offense integrates an organization to perpetrate unlawful under this chapter.

and. If the agent who commits any offense under this chapter, has the quality of official or public servant. (*)

(*) Article in force under the amendment introduced by the Third Final Provision of Legislative Decree No. 822, published on 24/04/96.

Article 221. Seizure or Forfeiture

In offenses under this chapter, we will proceed to the prior seizure of illicit copies and apparatus or means used to commit the offense. The judge, at the request of the public prosecutor ordered the raid or forcible unlocking the place was being committed the criminal offense.

If issued conviction, unlawful copies may be delivered to the holder of the right infringed or an appropriate institution and if not applicable, will be destroyed. Delivery will not have indemnitory.

In no case shall the return of the accused illegal copies. (*)

(*) Article in force under the amendment introduced by the Third Final Provision of Legislative Decree No. 822, published on 24/04/96.

CHAPTER II

CRIMES AGAINST INDUSTRIAL PROPERTY

Article 222. Manufacture or unauthorized use patent

Which manufactures a product or use a patented means or manufacturing process, without being authorized by who has the right to do so, shall be punished by imprisonment of not less than two nor more than four years, sixty to one hundred and sixty days' fine and disqualification under article 36, paragraph 4. (*)

(*) Article replaced by Article 2 of Law No. 27729, published on 24-05-2002, which reads as follows:

"Article 222. Manufacture or unauthorized use patent

shall be punished by imprisonment of not less than two nor more than five years, with sixty to three hundred sixty-five fine and disqualification days under Article 36 paragraph 4) taking into account the seriousness of the offense and the value of the damage caused, who in violation of the rules and industrial property rights, store, manufacture, use for commercial purposes, offers, distributes, sells, imports or exports, wholly or in part:

- to. A product covered by a patent or a product manufactured using a process covered by a patent obtained in the country;
 - b. A product protected by a utility model obtained in the country;
 - c. A product covered by an industrial design registered in the country;
 - d. A plant variety registered in the country and its reproduction material, propagation or multiplication;
- and. A layout (typeface) registered in the country, a semiconductor circuit incorporating such a layout (topography) or an article incorporating such a semiconductor circuit;
- F. A product or service that uses an unregistered trademark identical or similar to a registered trademark in the country. "

Article 223. unauthorized use or sale of industrial design or model

Whoever, without authorization, reproduces by any means, in whole or in part, industrial design or model registered by another or sells or exposes for sale object is imitation or copy of the model legally registered, it shall be punished with imprisonment not less than one nor more than four years, three hundred sixty-five to sixty days' fine and disqualification under Article 36, paragraph 4. (*) (**)

(*) Rectified by Errata published on 10/04/91 in the official gazette El Peruano.

(**) Article replaced by Article 2 of Law No. 27729, published on 24-05-2002, which reads as follows:

"Article 223. unauthorized use or sale of industrial design or model

They shall be punished by imprisonment for not less than two nor more than five years, with sixty to three hundred sixty-five days' fine and disqualification under Article 36 paragraph 4) taking into account the seriousness of the offense and the value of the damages caused, who, in violation of rules and industrial property rights:

- to. Manufacture, market, distribute or store labels, seals or packages containing trademarks;
- b. Withdraw or use labels, seals or packages containing original brands for use in products of different origin; Y
- c. Packaged and / or marketed products using packaging identified by trademarks which shall belong to third parties. "

Article 224.-Use unlawful design or industrial model

Which used industrial model or design an expression that certifies falsely as rightholder or mentioned in advertisement or advertising medium as a registered design or model was not, it shall be punished with imprisonment of not less than one nor more than four years, sixty three hundred and sixty days' fine and disqualification under Article 36, paragraph 4. (*) (**)

(*) Rectified by Errata, published on 04/10/91 in the official gazette El Peruano

(**) Article replaced by Article 2 of Law No. 27729, published on 24-05-2002, which reads as follows:

"Article 224. Illicit-use design or industrial model

In offenses under this Title, the judge to request Attorney order the searching or forcible unlocking the place was being committed the illegal act and proceed to seize the copies of illegal origin and apparatus or means for commission of the offense.

If issued conviction, illegally obtained copies may be delivered to the holder of the right infringed or an appropriate institution and if not applicable, will be destroyed. Delivery will not have indemnity.

In no case shall the return of illegally obtained copies of the accused. "

Article 225. Misuse brand

Which reproduces improperly in whole or in part, industrial goods trademarked by another or imitates so that it can mislead or confuse or who knowingly uses mark reproduced or imitated or sells, exposes for sale or has on deposit products imitated mark or reproduced, in whole or in part or products with brand other and not manufactured by the agent, shall be punished with imprisonment of not less than one nor more than four years, sixty three hundred and sixty days' fine and disqualification under Article 36, paragraph 4. (**)

(**) Article replaced by Article 2 of Law No. 27729, published on 24-05-2002, which reads as follows:

"Article 225. Misuse brand

It shall be punished by imprisonment for not less than two nor more than five years and ninety to three hundred sixty-five days fine and disqualification under Article 36 paragraph 4):

to. If the agent who commits the offense integrates an organization to perpetrate unlawful under this chapter.

b. If the agent who commits any offense under this chapter, has the quality of official or public servant. "

TITLE VIII

CRIMES AGAINST THE CULTURAL HERITAGE

CHAPTER ONE

CRIMES AGAINST CULTURAL PROPERTY

Article 226.-Attacks archaeological sites

Whoever pillages or, without authorization, explores, excavates or removes pre-Hispanic archaeological sites, will be punished with no greater deprivation of liberty of not less than six years and three hundred twenty three hundred and sixty days' fine.

Article 227. Inducement to commit attacks on archaeological sites

Which promotes, organizes, finances or directs groups of people for committing offenses under Article 226°, it shall be punished by not more custodial sentence of not less than three of eight and one hundred eighty to three hundred days- sixty-five fine .

Article 228. Illegal extraction of Cultural Property

Which destroys, alters, removes the country or sells assets of prehispanic cultural heritage and not returned in accordance with the authorization was granted, it shall be punished by not more custodial sentence of not less than three of eight and one hundred eighty to three hundred sixty-five days' fine. (*)

(*) Article in force under the amendment introduced by the single article of Law No. 27244, published on 26/12/99.

Note: Previously this article was amended by the single article of Law No. 26690, published on 30/11/96.

Article 229. Failure of duties of public officials

The political, administrative, customs, municipal and members of the Armed Forces or the National Police, omitting the duties of their office, intervene or facilitate the commission of the offenses referred to in this Chapter, they shall be punished with imprisonment not less than three nor more than six years with thirty to ninety days' fine and not less than one year disqualification under Article 36, paragraphs 1, 2 and 3.

If the agent acted because, the penalty is imprisonment not exceeding two years.

Article 230. Destruction, alteration or removal of cultural property

Which destroys, alters, removes the country or sold without authorization, cultural property previously declared as such, different from pre-Hispanic times, or not returned to the country in accordance with the authorization was granted, it shall be punished by imprisonment imprisonment for not less than two nor more than five years and ninety to one hundred and eighty days' fine. (*)

(*) Article in force under the amendment introduced by the single article of Law No. 27244, published on 26/12/99.

Article 231. Confiscation

The penalties provided in this chapter are imposed without prejudice to forfeiture to the State, materials, equipment and vehicles used in the commission of crimes against cultural heritage, as well as unduly obtained cultural property, without prejudice to the civil damages that might arise. (*)

(*) Article in force under the amendment introduced by the single article of Law No. 27244, published on 26/12/99.

TITLE IX

CRIMES AGAINST THE ECONOMIC ORDER

CHAPTER I

ECONOMIC ABUSE OF POWER

NOTE: Violations of administrative nature, are also recognized as criminally justiciable; and the initiative of prosecution exclusive responsibility of the Provincial Prosecutor (Art. 19 of Legislative Decree no. 701, published on 11/07/91, as amended by Legislative Decree. No. 807, published 18/04/96)

Article 232. Abuse of economic power

Which, in breach of the relevant law, abusing its monopolistic or oligopolistic position on the market, or participating in practices and restrictive agreements in productive activity, commercial or service in order to prevent, restrict or distort free competition, shall be punished by imprisonment for not less than two nor more than six years, three hundred and sixty to one hundred eighty days' fine and disqualification under Article 36, paragraphs 2 and 4.

CHAPTER II

Hoarding, speculation, ADULTERATION

Article 233. Hoarding

Which monopolizes or in any way subtracts trade, consumer goods or production, in order to alter prices, causing shortages or obtaining undue profit to the detriment of the community, shall be punished by imprisonment (*) GRINDING FOR ERRATA of freedom not less than two nor more than four years and ninety to one hundred and eighty days' fine.

If it comes to basic goods, the penalty is imprisonment of not less than three nor more than five years and three hundred and sixty to one hundred and eighty days' fine. (*)

(*) Rectified by Errata published on 10/04/91 in the official gazette El Peruano.

Article 234. Speculation

Producer, manufacturer or merchant markets products officially considered necessities to exceed those fixed by the competent authority prices, it shall be punished with imprisonment of not less than one nor more than three years and ninety to one hundred eighty days -penalty fee.

Which unjustifiably sells goods or provides services to higher than stated in the labels, banners, signs or lists drawn up by the seller himself or service, it shall be punished with imprisonment not exceeding one year and ninety price hundred eighty days' fine.

Which sells goods that units have certain weight or measure, where those goods are lower than these weights or measures, it shall be punished with imprisonment not exceeding one year and ninety to one hundred and eighty days' fine.

Which sells goods contained in packages or containers whose quantities are lower than those referred to therein, shall be punished with imprisonment not exceeding one year and ninety to one hundred and eighty days' fine. (*)

(*) Rectified by Errata, published on 10/04/91 in the official gazette El Peruano.

Article 235.-Adulteration

Which alters or modifies the quality, quantity, weight or measure items officially considered necessities, to the detriment of the consumer, shall be punished by imprisonment not less than one nor (*) GRINDING FOR ERRATA more than three years and ninety to one hundred and eighty days ' fine.

Article 236. Aggravated common

If the offenses under this Chapter are committed in times of commotion or public calamity, the penalty is imprisonment of not less than three nor more than six years and three hundred and sixty to one hundred and eighty days' fine.

CHAPTER III

ILLEGAL SALE OF MERCHANDISE

Article 237. Illegal Sale of Goods

The putting on sale or negotiates in any manner goods received for free distribution shall be punished by imprisonment for not less than two nor more than six years.

If the offense is committed in times of commotion or public calamity, or is conducted by official or public servant, the penalty shall be not less than three nor more than eight years. (*)

(*) Article amended by Article 3 of Law No. 27776, published on 09/07/2002, which reads as follows:

"Article 237. Illegal Sale of Goods

The putting on sale or negotiates in any manner goods received for free distribution shall be punished by imprisonment for not less than two nor more than six years.

The penalty shall be not less than three years nor more than six years and disqualification under subparagraphs 1), 2) and 3) of Article 36, when the agent transports or sells without real authority outside the territory in which enjoys benefits arising special tax treatment. If the offense is committed in times of commotion or public calamity, or is conducted by official or public servant, the penalty shall be not less than three nor more than eight years. "

OTHER economic crimes

Article 238. false information about product quality

Which makes for any advertising medium, false claims about the nature, composition, virtues or essential qualities of the products or services advertised, themselves capable of inducing serious mislead the consumer, shall be punished with ninety to one hundred and eighty day-fines .

When it comes to advertising of foodstuffs, preservatives and food additives, drugs or necessities or intended for infant consumption, the fine shall be increased by fifty percent.

Article 239. Sales of goods or provision of different services advertised

Which it sells goods or provides services whose quality or quantity are different from those offered or entered on signs, labels, signs or lists drawn up by the selling company or service provider shall be punished with imprisonment not exceeding three years and sixty to one hundred and twenty days' fine.

Which sells goods whose expiration date has expired, it shall be punished with the same penalty.

Article 240.-Harnessing undue advantages of industrial or commercial reputation

shall be punished with no more imprisonment of two years or three hundred sixty-five hundred eighty day-fines, which own benefit or third parties:

1. undue advantage of the benefits of an industrial or commercial reputation gained by the efforts of another.
2. Performs activities, reveal or disclose information that may impair economic reputation of a company, or to produce unjustified discrediting of the products or services of others.

In offenses under this article only proceed by private action.

Article 241. Fraud auctions, tenders and public tenders

They shall be punished with no more imprisonment of three years or one hundred eighty three hundred sixty-five days' fine who practice the following:

1. solicit or accept gifts or promises not to take part in a public auction, in a public tender or a public tender price.
2. They try to ward off bidders by threats, bribes, promises or any other device.
3. concluded between themselves in order to change the price.

If in the case of public competitive prices or public bidding, shall be in addition to the agent or the company or person represented by the suspension of the right to contract with the State for a period not less than three nor more than five years.

Article 242.-Rehusamiento to provide economic, industrial or commercial information

The director, administrator or manager of a company wrongly refuses to supply the competent authority economic, industrial or commercial information be required, or deliberamente provides information inaccurately, it shall be punished with imprisonment not exceeding two years or ninety to one hundred and eighty days' fine.

Article 243.-undervaluation of goods purchased with preferential exchange rate

He receives foreign currency preferential rate for imports of goods and sell them at higher than approved prices, it shall be punished by not more custodial sentence of not less than two to four years, with one hundred twenty three hundred sixty-five days- fine and disqualification under Article 36, paragraphs 1, 2 and 4.

Which it gives different purpose goods which sets the standard that fixes the exchange rate or the special tax regime shall be punished with the penalty prescribed in the preceding paragraph.

Article 243-A.- running illegal casinos

It shall be punished by imprisonment of not less than one nor more than six years and three hundred and sixty five day fines, which organizes or leads Casinos subject to authorization without having met the conditions required by law or regulations for its operation ; without prejudice to the confiscation of effects, money and property used in the commission of the crime. (*)

(*) Article added by Article 10 of Decree Law No. 25836, published on 11/11/92.

"CHAPTER V

UNAUTHORIZED ACTIVITY PERFORMANCE

(*) Chapter incorporated by the Eleventh Transitory and Final Disposal Act No. 27649, published on 01/23/2002.

Article 243-B.- that performs or self-employed or own plays agents intermediation, without the authorization, conducting transactions or inducing the purchase or sale of securities, by any act, practice or deceptive or fraudulent mechanism and provided that the securities involved in such actions are collectively worth more than four (4) UIT market, shall be punished with imprisonment of not less than one (1) nor more than five (5) years."

TITLE X

FINANCIAL CRIMES AGAINST THE ORDER AND MONETARY

CHAPTER I

FINANCIAL CRIMES

Article 244.-Concentration credit

Director, manager, administrator, legal representative or officer of a bank, financial or other institution operating with funds from the public, directly or indirectly approve loans or other financing above the legal limits for persons connected with shareholders own institution, shall be punished with no greater deprivation of liberty of not less than four of ten and three hundred and sixty five to seven hundred and thirty days' fine, if as a result the institution incurs insolvent.

They shall be punished with the same penalty credit beneficiaries who participated in the crime.

Article 245. Concealment, omission or false information

Director, manager, administrator, legal representative or officer of a bank, financial or other institution operating with funds from the public, with the purpose of concealing illiquidity or insolvency of the institution, omits or refuses to provide information or provide false data the authorities control and regulation, shall be punished by imprisonment (*) GRINDING FOR eRRATA of not less than two nor more than six years and three hundred and sixty to one hundred and eighty days' fine.

Article 246. Illegal Financial Institutions

Which, by itself or through third parties, directly or indirectly engaged in the usual raising funds from the public, in the form of deposit, mutual or any form, without permission from the competent authority, it shall be punished with imprisonment not less than three nor more than six years and three hundred and sixty to one hundred and eighty days' fine.

For such purposes if the agent makes use of social media, it shall be punished with no greater deprivation of not less than four of eight and one hundred eighty-three hundred and sixty days fine.

Article 247.-Financing using fraudulent information

The user of a banking, financial or other institution operating with funds from the public by providing false information or documents or by deception obtains direct or indirect loans or other financing, shall be punished with imprisonment of not less than one nor more four years and three hundred and sixty to one hundred and eighty days' fine.

If as a result of the credit thus obtained, the Superintendency of Banking and Insurance solves the intervention or liquidation of the financial institution, it shall be punished by not more custodial sentence of not less than four of ten and three hundred and sixty five to seven hundred and thirty days' fine .

Shareholders, partners, directors, managers and officials of the institution to cooperate in the execution of the crime, they shall be punished with the same penalty prescribed in the preceding paragraph and also with disqualification under Article 36, paragraphs 1, 2 and 4.

Article 248.- credit Conditioning

Directors, managers, administrators or officials of banking, financial and other operating with funds from the public that condition, directly or indirectly, lending to the delivery by the user of improper considerations, institutions shall be punished by imprisonment deprivation of not less than one nor more than three years and ninety to one hundred and eighty days' fine.

Article 249.-Financial Panic

Which causes alarm in the population by propalación false news, causing massive withdrawals of deposits of any bank, financial or other operating with funds from the public institution it shall be punished by imprisonment of not less than two nor more than four years and one hundred eighty-three hundred and sixty days fine. (*)

(*) Article amended by the single article of Law No. 27941, published on 26-02-2003, which reads as follows:

"Article 249. Financial Panic

Whoever knowingly causes alarm in the population being disseminated false information attributed to a company of the financial system, a company of the insurance system, a management company mutual funds in securities or investment fund to a private manager pension funds or other operating with funds from the public, qualities or risk situations that create the danger of massive withdrawals of deposits or transfer or redemption of financial instruments of savings or investment shall be punished with deprivation of liberty not less than three nor more than six years and one hundred eighty to three hundred sixty-five daily fines.

The penalty shall be not less than four nor more than eight years and three hundred and sixty to seven hundred twenty daily fines if the agent is a director, manager or officer of a company in the financial system, a company of the insurance system, a management company mutual funds in securities or investment fund, a private manager of pension funds or other operating with funds from the public, or if a board member or manager of an accounting firm, a risk rating or one that lends itself to any of the companies mentioned above, or services if officer of the Ministry of Economy and Finance, the Central Reserve Bank of Peru, the Superintendency of Banking and Insurance or the National Supervisory Commission for companies and Securities.

The penalty provided for in the preceding paragraph to former officials of the Ministry of Economy and Finance, the Central Reserve Bank of Peru, the Superintendency of Banking and Insurance or the National Supervisory Commission for Companies and Securities also applies, provided that they have committed a crime within six years following the date of termination. "

Article 250.- Omission of specific provisions

Directors, administrators, managers and officers, shareholders or associates of banking institutions, financial and other operating with funds from the public supervised by the Superintendency of Banking and Insurance or other entity of regulation and control that have failed to make specific provisions for credit classified as doubtful or loss or other assets also subject to provision induce the approval of the relevant corporate body to pay dividends or distribute profits in any form or capitalize profits, shall be punished with imprisonment of not less than one nor more than three years and three hundred and sixty to one hundred and eighty days' fine.

Article 251. fraudulent diversion of promotional credit

Which applies or fraudulently diverted a promotional credit toward a different purpose which motivated its granting shall be punished with imprisonment not exceeding two years.

Article 251°-A.- Misuse of privileged information Aggravated-Forms

Which makes a profit or a loss of economic nature directly or through third parties is avoided by using privileged information shall be punished by imprisonment of not less than one (1) nor more than five (5) years.

If the offense in the preceding paragraph is committed by a director, officer or employee of a stock exchange, an agent intermediation of the supervisory bodies of the issuers, rating agencies, the fund management concerns mutual investment in securities, fund managers investing, fund managers, pension and banking, financial or insurance companies, worth not less than five (5) nor more than seven (7) years.(*) (**)

(*) Article inserted by the Ninth Final Provision of Legislative Decree No. 861, published on 10.22.96

CHAPTER II

Serious Fraud

MATCHING: Law No. 27583

Article 252.- Manufacturing and counterfeit legal tender

Which falsifies notes or coins it shall be punished with no greater deprivation of liberty of not less than five hundred twelve and twenty three hundred days' fine.

Which it falsifies notes or coins separating the front and back of a genuine superimposing fragments, resorting to the use of chemical solvents, using those manufactured by other countries, using different alloys or making use of any other means which is not of mass production shall be punished with no greater deprivation of liberty of not less than four of ten and one hundred twenty three hundred days' fine. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26714, published on 12/27/96

Article 253. Alteration of legal tender

Which alters the notes and coins for the purpose of ascribing a higher value, or make such alteration with bills or coins that are out of print or correspond to other countries, to give them the appearance of those who have power cancelatorio it shall be punished with custodial sentence of not less than four nor more than ten years and one hundred twenty three hundred days' fine.

Which alters the currency, slowing its intrinsic value, shall be punished by imprisonment of not less than six months nor more than two years and thirty to ninety days' fine. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26714, published on 12/27/96

Article 254. Trafficking in counterfeit money

Whoever knowingly enter, transported or removed from the territory of the Republic; It sells, distributes or puts into circulation coins or counterfeit or altered by third airline, whose nominal value exceeds a vital minimum wage, shall be punished by not more custodial sentence of not less than five ten years and one hundred eighty to three hundred sixty-five days fine. The penalty shall be one hundred and eighty to three hundred sixty-five daily fines if the nominal value is less than a vital minimum wage. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 27593 published on 13-12-2001.

NOTE: This article was amended by Article 1 of Law No. 26714, published on 27/12/96

Article 255. Manufacture or introduction into the territory of the Republic of instruments for counterfeiting banknotes and coins

Which it manufactures enter the territory of the Republic or withdraws from, machines, dies, stamps or any other kind of instruments or inputs for counterfeit notes or coins or is in possession of one or more sheets of counterfeit bills or extracted from a genuine banknote security measures in order to insert them into a false or altered, or knowingly keeps them in his possession shall be punished with no greater deprivation of not less than five of twelve and with one hundred and eighty to three hundred sixty-five fine days. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 27593 published on 13-12-2001.

NOTE: This article was amended by Article 1 of Law No. 26714, published on 27/12/96

Article 256. Alteration of notes or coins

It will be punished with fine not less than thirty nor more than one hundred twenty days' fine:

1.- who writes about tickets, printed labels on them or in any way intentionally damaged notes or coins.

2. That, advertising or similar purposes, reproducing or distributing notes or coins, or the front or back thereof, so that it can lead to confusion between providing reproductions are used by third parties as if it were a genuine banknote. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26714, published on 12/27/96

Article 257. Extensive application

The provisions of this Chapter extensive articles are banknotes, coins, securities and securities of other countries (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 27593 published on 13-12-2001.

NOTE This article was amended by Article 1 of Law No. 26714, published on 27/12/96

"Article 257-A.- shall be punished with imprisonment of not less than six years nor more than fourteen years and one hundred eighty to three hundred sixty-five day fines which commits the offenses set forth in Articles 252, 253, 254 , 255 and 257 if event of any of the following aggravating circumstances:

1. If the agent acts as a member of a criminal association or as a member of a band.

2. If the agent works or has worked in print shops or print shops or in the metalworking industry and has used his knowledge to perpetrate the crime.

3. If the agent works or has worked in the Central Reserve Bank of Peru and has benefited from it to get inside information on manufacturing processes and security measures, passwords or secret marks coins or bills.

4. If to facilitate the movement of coins or counterfeit banknotes, the agent or the mixture coin genuine notes. "(*)

(*) Article inserted by Article 2 of Law No. 27593 published on 13-12-2001.

Article 258. Illegal ticketing and other

The official of the Central Reserve Bank of Peru to issue cash in excess of authorized amounts, shall be punished by imprisonment for not less than two nor more than six years and disqualification from one to four years under Article 36, paragraphs 1) and 2). (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26714, published on 12/27/96

Article 259. Illegal use of foreign currency

Which it allocates currencies assigned by the Central Reserve Bank, a purpose other than the designated and authorized, shall be punished by imprisonment for not less than two nor more than ten years, with one hundred twenty three hundred and sixty days' fine and disqualification under Article 36, paragraphs 1, 2 and 4.

Directors, managers and officials of the Central Bank or public officials to facilitate the commission of the offense, shall be punished with the same penalty.

Article 260. Retention undue currency

Which, having obligation to do so, no delivery unduly the Central Bank foreign exchange earnings from exports or retained, unjustifiably, after expiry of the deadline, shall be punished by imprisonment for not less than two nor more than four years, one hundred eighty-three hundred and sixty days fine and disqualification under Article 36, paragraphs 1, 2 and 4.

NOTE: In accordance with the Sole Article of Law No. 26992 published 12/11/98 amending Article 3 of Law No. 26714, the Central Reserve Bank will be considered injured in crimes provided for in Articles 252 to 260 of this Code.

Article 261. Securities equated currency

For the purposes of this Chapter are matched to banknotes and coins, public debt securities, bonds, coupons, certificates, warrants, shares and other securities or securities issued by the State or by persons under public law. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26714, published on 12/27/96

TITLE XI

tax crimes

CHAPTER I

CONTRABAND (*)

(*) Chapter repealed by the Third Final Provision of Law No. 26461, published on 06/08/95

CHAPTER II

TAX FRAUD

SECTION I (*)

CUSTOMS tax fraud

(*) Section repealed by the Third Final Provision of Law No. 26461, published on 08/06/95

SECTION II

TAX FRAUD

Note.- The crime of tax fraud and its modalities are provided for in the so-called Criminal Tax Law, Legislative Decree No. 813 issued on 04/20/1996

Matches: Law No. 27765, Art. 6

Article 268.-Fraud tax (*)

(*) Article repealed by the Seventh Final and Transitory Provision of Legislative Decree 813, published 04/20/96

This article was initially replaced by Article 2 of Decree Law No. 25859, published on 24/11/92

Article 269. Modalities (*)

(*) Article repealed by the Seventh Final and Transitory Provision of Legislative Decree 813, published 04/20/96

Article 270 .- (*)

(*) Article repealed by Article II of the Decree Law No. 25495, published on 14/05/92

CHAPTER III

TRADE DEVELOPMENT AND PRODUCT CLANDESTINO

Article 271. clandestine Product-Development

It shall be punished with imprisonment of not less than one nor more than four years, subject to forfeiture where appropriate in which:

1. Make taxed goods whose production without authorization is prohibited.
2. Having met the requirements, makes the development of such goods with machines, equipment or facilities ignored by the authority or modified without knowledge of it.
3. Hide the production or existence of these goods.

"Article 272. clandestine trade

shall be punished by imprisonment of not less than 1 (one) year nor more than three (3) years and 170 (one hundred seventy) to 340 (three hundred and forty) days-fine, which:

1. engaged in one subject to authorization without having met the conditions required by law or regulations business.

2. Use, dispenses or circulate goods and products without the stamp or seal, when they must take or uncredited paying tribute.

3. Use goods exempt from taxes on purposes other than those provided for in the respective exonerative law.

In the case referred to in paragraph 3), shall constitute an aggravating circumstance punishable by imprisonment for not less than five (5) nor more than eight (8) years and 365 (three hundred sixty five) to 730 (seven hundred and thirty) days -multa when the conduct described is carried out:

a) Direct Consumer according to the provisions of the tax rules;

b) Using false or forged document; or

c) For a criminal organization. "(*)

(*) Article in force under the amendment introduced by the Eighth Final and Transitory Provision Act No. 27335, published on 31-07-2000

TITLE XII

CRIMES AGAINST PUBLIC SAFETY

CHAPTER I

COMMON DANGER CRIMES

Article 273.-Danger by fire or explosion

Which creates a common danger to persons or property by fire, explosion or releasing any kind of energy, it shall be punished by imprisonment of not less than three nor more than ten years.

Article 274.-Driving while intoxicated or drug abuse

Which being found drunk or drug driving, operating or maneuvering motor vehicle, instrument, tool, machine or other similar, shall be punished with deprivation of liberty not exceeding one year and disqualification under Article 36 paragraphs 6) and 7).

When the agent providing public transport services for passengers or heavy transport, the imprisonment shall be not less than one nor more than two years and disqualification under Article 36 paragraphs 6) and 7). "(*) (**)

(*) Article in force under the amendment introduced by the single article of Law No. 27054, published on 23/01/99.

(**) Article amended by Article 1 of Law No. 27753, published on 06/09/2002, which reads as follows:

"Article 274. Driving while intoxicated or drug

Which meeting drunk, with presence of alcohol in the blood in a greater proportion of 0.5 grams-liter, or under the influence of drugs, lead, operates or maneuver motor vehicle, instrument, tool, machine or similar, shall be punished with deprivation of liberty not exceeding one year or thirty days 'fine at least fifty days' fine and disqualification maximum, as appropriate, in accordance with Article 36, paragraphs 6) and 7).

When the agent providing public transport services for passengers or heavy transport, the imprisonment shall be not less than one nor more than two years or fifty day fines at least hundred days of fine maximum and disqualification under Article 36 paragraphs 6) and 7). "

MATCHING: Law No. 27753, Article 3, 4 and Annex.

Article 275. Aggravated Forms

The penalty is imprisonment of not less than six nor more than fifteen years when in the commission of the offense under Article 273° concurs any of the following circumstances:

1. If there is danger of death for people.
2. If the fire causes explosion or destroys property of scientific, historical, artistic, cultural, religious, welfare, military or economic importance.
3. If you are serious injury or death and could have foreseen these results.

Special Article 276.-Estragos

Which wrecks havoc by flooding, collapse, collapse or any other similar means, shall be punished according to the penalty prescribed in Articles 273° and 275°, as appropriate.

Article 277. Damage-works for the common defense

Which damages or disables dikes or works for the common defense against disaster, hurting its preventive function, or that to prevent or hinder the work of defense, subtracts, hides, destroys or disables materials, instruments or other means for the common defense, shall be punished by imprisonment of not less than three nor more than eight years.

Article 278.-Forms culpable

Which, because, causes a disaster for under Articles 273°, 275° and 276°, it shall be punished with imprisonment of not less than one nor more than three years.

Article 279. Manufacture, supply or possession of hazardous materials

Which, illegitimately, manufactures, stores, supplies or is in possession of bombs, guns, ammunition or explosives, flammable, asphyxiating or toxic materials or substances or materials intended for their preparation it shall be punished by imprisonment of not less than six nor more than fifteen years. (*)

(*) Text in force under the amendment made by the First Supplementary Provision of Legislative Decree No. 898, published on 27/05/98, issued pursuant to Law No. 26950, which gives the Executive the power to legislate on with National security.

Article 279-A.- production, development and marketing of chemical weapons illegal

Which produces, develops, markets, stores, sells, acquires, uses or possesses chemical weapons, -contraviniendo the prohibitions established in the Chemical Weapons Convention adopted by the United Nations in 1992- or transferring to another, or that promotes , promotes or facilitates such acts are performed shall be punished by imprisonment for not less than five nor more than twenty years. (*)

(*) Article inserted by Article 5 of Law No. 26672, published on 10/20/96.

"Article 279-B.- Subtraction or outburst of firearms

Which subtracts or snatch firearms in general or ammunition and grenades war or explosives to members of the Armed Forces or the National Police or Security Service, it shall be punished by not more imprisonment not less than ten twenty years.

The penalty shall be life imprisonment if as a result of outburst or theft of weapon or ammunition in the preceding paragraph refers to the death or serious injury to the victim or third parties it will cause "(*)

(*) Article inserted by the Second Supplementary Provision of Legislative Decree No. 898, published on 27/05/98, published 5/27/98, issued pursuant to Law No. 26950, which grants the Executive faculties to legislate on national security.

CHAPTER II

CRIMES AGAINST MEDIA TRANSPORT, COMMUNICATION AND OTHER PUBLIC SERVICES

Article 280. Attacks on public transport means or communication

Whoever knowingly performs any act which endangers the safety of ships, aircraft, floating constructions or other means of public transport or communication intended for public use in danger, it shall be punished by imprisonment of not less than three nor more than six years.

If fact produces shipwreck, stranding, disaster, death or serious injury and the agent could foresee these results, the penalty shall be not less than eight nor more than twenty years.

Article 281. Attack against common security

It shall be punished by imprisonment of not less than three nor more than eight years, which creates a hazard for the common safety, doing any of the following behaviors:

1. Undermines factories, construction sites or installations for the production, transmission, storage or supply of electricity or energy substances, or against public service facilities for running water.
2. threatens the security of the means of public telecommunication services or put the security of transport for public use.
3. Hinders the repair of damage to factories, works or installations referred to the preceding paragraphs.

Article 282.-culpably

Which, because, causes any danger of the facts set out in Articles 280° and 281° shall be punished with imprisonment not exceeding two years.

Article 283.-Impeding the functioning of public services

Which, without creating a common danger, prevents, hinders or impairs normal functioning of transport, or public communication services, or provision of water, electricity or similar energy substances shall be punished with imprisonment not less than two nor more than four years.

"In cases where the agent acts with violence and threatens the physical integrity of persons or cause serious damage to public or private property, deprivation of liberty shall be not less than three nor more than six years." (*)

(*) Paragraph incorporated by Article 1 of Law No. 27686, published on 19/03/2002.

Article 284. Abandonment of transport service

The driver, captain, commander, pilot, technician, engineer or mechanic any means of transport, leaving their respective service before the end of the trip, shall be punished with imprisonment of not less than one nor more than four years.

Article 285. Replacement or impairment of function in transport medium

Who, through violence, intimidation or fraud, replaces or prevents the performance of its duties to the captain, commander and pilot of a means of transportation, it shall be punished with imprisonment of not less than one nor more than five years.

CHAPTER III

CRIMES AGAINST PUBLIC HEALTH

SECTION I

CONTAMINATION AND SPREAD

Article 286. Water-contamination or substances intended for consumption

The poisoning, adulterated or contaminated water or food or medicinal substances for consumption, shall be punished by imprisonment of not less than three nor more than ten years.

If you are serious injury or death and could have foreseen these results, the penalty shall be not less than ten nor more than twenty years.

Article 287.-Adulteration of substances or goods intended for public use

Which, in manner dangerous to health, adulterated substances or property for public use, other than those specified in Article 286°, it shall be punished by imprisonment of not less than three nor more than six years.

If adulteration is poisoning or contamination of the substances mentioned and resulting serious injury or death that could have foreseen, the penalty shall be not less than six nor more than ten years.

Article 288. Marketing or trafficking of harmful products

Whoever, knowing that consumption of a product or normal or probable use, may compromise the health of people, puts on sale or into circulation or imports it or take on deposit, it shall be punished with imprisonment not less than two nor more than six years.

If the agent knew that the use or consumption of the product originated danger of death, the penalty shall be not less than three nor more than eight years.

When the agent acts because the sentence of imprisonment shall not exceed two years. (*)

(*) Article amended by Article 3 of Law No. 27729, published on 24-05-2002, which reads as follows:

"Article 288. Marketing or trafficking of harmful products

Which produces, sells, puts into circulation, import or take on deposit foods, preservatives, additives and mixtures intended for human consumption, falsified, corrupted or damaged which could jeopardize the health of people, it shall be punished with imprisonment of not less two nor more than six years.

The imprisonment shall be not less than four years if the agent had used seals, labels or distinctive marks duly registered or the name of known products.

If the agent knew that the use or consumption of the product originated danger of death, the penalty shall be not less than four nor more than eight years.

When the agent acts because the sentence of imprisonment shall not exceed two years. "

"Article 288-A.- Anyone who sells methyl alcohol, knowing or assuming its use for human consumption purposes, shall be punished by imprisonment for not less than four nor more than eight years.

Not punishable marketing demonstrably methyl alcohol for industrial or scientific purposes. "

(*) Article inserted by Article 2 of Law No. 27645 published on 01.23.2002.

Article 289.-Propagation of dangerous contagion

Whoever knowingly spreads a dangerous contagious disease or health of people, it shall be punished by imprisonment of not less than three nor more than ten years.

If you are serious injury or death and could have foreseen these results, the penalty shall be not less than ten nor more than twenty years.

Article 290.-illegal exercise of medicine

It shall be punished with imprisonment not exceeding two years or community service for twenty to fifty-two days, which, lacking title, do any of the following:

1. Announces emits diagnoses, prescribe, administer or apply any means supposedly intended for health care, although BOUT free mode.
2. issues opinions or reports to support the diagnosis, prescription or administration to paragraph 1. (*) refers to

(*) Article amended by Article 1 of Law No. 27754, published on 14-06-2002, which reads as follows:

"Article 290.-illegal exercise of medicine

shall be punished by imprisonment of not less than one year nor more than four years or community service twenty to one hundred days, which simulating as a doctor or other profession of medical sciences, which without professional title, makes any of the following:

1. Announces emits diagnoses, prescribe, administer or apply any means supposedly intended for health care, although BOUT free mode.
2. issues opinions or reports to support the diagnosis, prescription or administration to paragraph refers 1. "

Article 291.-Exercise malicious and unfair medicine

Which, having title, announces or promises to cure diseases or fixed-term secret or infallible means, shall be punished with imprisonment not exceeding two years or community service for twenty to fifty-two days.

Article 292. Violation of sanitary-medicines

Whoever violates the measures imposed by law or by the authority for entering the country or spread of a disease or epidemic or an epizootic disease or pest it shall be punished by imprisonment of not less than six months nor more than three years and ninety to one hundred and eighty days' fine.

Article 293. Sales dangerous animal consumption

Which, in public places, sell, ready or not, fed solid animal waste, contravening laws, regulations or established provisions shall be punished with imprisonment of not less than one nor more than four years and one hundred eighty to three hundred and sixty five days -penalty fee.

Article 294. Sales of adulterated medicines

Which, with authorization for the sale of medicinal substances, delivery in kind, quality or not appropriate for medical or other prescription declared or agreed upon or the deadline which guarantees its good condition, quantity shall be punished with imprisonment not less than one nor more than three years.

Article 295.-Forms culpable

When any of the offenses set forth in Articles 286° to 289th fault committed, the penalty shall be imprisonment not exceeding two years or community service of ten to thirty days.

SECTION II

ILLICIT DRUG TRAFFICKING

Matches: Law No. 27765, Art. 6

Article 296. Promotion or favoring the Drug Law

Which promotes, encourages or facilitates the illegal consumption of toxic drugs, narcotics or psychotropic substances, through acts of (*) GRINDING FOR ERRATA manufacture or traffic or possess with the latter purpose, it shall be punished with imprisonment of not less eight nor more than fifteen hundred eighty three hundred and sixty days' fine and disqualification under Article 36, paragraphs 1, 2 and 4.

Whoever knowingly sells raw materials or supplies intended for the manufacture of the substances referred to in the preceding paragraph it shall be punished with the same penalty. (*)

(*) Article amended by Article 1 of Law No. 28002, published on 17-06-2003, which reads as follows:

"Article 296. Promotion or favoring illicit drug trafficking

Which it promotes, encourages or facilitates the illegal consumption of toxic drugs, narcotics or psychotropic substances, through acts of manufacturing or trafficking is punishable by not more custodial sentence of not less than eight of fifteen and one hundred eighty to three hundred sixty-five day fines, and disqualification under Article 36, paragraphs 1, 2 and 4.

The possessing toxic drugs, narcotics or psychotropic substances for illicit trafficking is punishable by not more custodial sentence of not less than six of twelve and one hundred twenty to one hundred eighty days' fine.

Any person who knowingly sells raw materials or supplies intended for illegal manufacture of drugs shall be punished by no greater deprivation of not less than five ten years and sixty to one hundred and twenty days' fine. "

Matches: Law No. 26320, Sec. 2 and 4

Article 296-A.-receptación

Which is involved in investment, sale, pledge, transfer or possession of the proceeds, property or assets derived from those or obtained economic benefit of drug trafficking, provided that the agent had known the origin or had suspected, it shall be punished by imprisonment of not less than eight nor more than eighteen hundred and twenty three hundred days' fine and disqualification under Article 36, paragraphs 1, 2 and 4.

Which buy, store, custodie, conceals or receives such income, property, goods or benefits knowing its illicit origin or having suspected, it shall be punished with the same penalty. (*) (**)

(*) Article inserted by Article One of Decree Law No. 25428, published on 11/04/92.

Note: This article was initially built by Article 1 of Legislative Decree No. 736, published on 12/11/91, then the Legislative Decree was repealed by Article 1 of Law No. 25399, published on 02/10/92. Article incorporated by Article 1 of Decree Law No. 25428 published on 04/11/92

(**) Article repealed by Article 8 of Law No. 27765, published on 27-06-2002.

"Article 296-A.- Marketing and poppy cultivation and planting marijuana and compulsive

Which promotes, encourages, supports, facilitates or executed acts of planting or cultivation of poppy plants of the species *Papaver somniferum* or marijuana *Cannabis sativa* species shall be punished with imprisonment not less than eight years nor more than fifteen years and with one hundred and eighty to three hundred sixty-five days' fine and disqualification under Article 36, paragraphs 1, 2 and 4.

Which it sells or transfers seeds of the species referred to in the preceding paragraph shall be punished by imprisonment for not more nor less sentence of five to ten years and one hundred twenty to one hundred eighty days' fine.

The penalty is imprisonment of not less than two nor more than six years and ninety to one hundred and twenty days' fine when:

1. The amount of planted or cultivated plants not exceeding one hundred.
2. The amount of seeds does not exceed the number required to plant plants pointing the preceding paragraph.

shall be punished by not more custodial sentence of not less than twenty-five thirty-five years that, by threat or violence, forces another to planting or cultivation or illicit process plant coca, poppy species *Papaver somniferum*, marijuana or *cannabis sativa* of species. "

(*) Article inserted by Article 2 of Law No. 28002, published on 17-06-2003.

Article 296-B.-Money Laundering

Which it is involved in the process of laundering derived from illicit drug trafficking and narco money, either making other assets, or transferring it to other countries, in any form used by the banking or financial system or by repatriation for entry to the circuit prevailing economic in the country, so that conceals its origin, property or other potentially illicit factors shall be punished with life imprisonment.

The same life sentence apply in cases where the agent is linked to terrorist activities, or being a member of the banking or financial system acts knowing the illicit origin of the money.

In the investigation of offenses under this Act, no reserve or bank secrecy or any tax. The Attorney General provided that there is prima facie evidence request on its own initiative or at the request of the competent police authority, the lifting of these reservations, previously ensuring that the information obtained will only be used in connection with the financial investigation of the events planned as smuggling drug and / or its link to terrorism. (*)

Status board member, manager, partner, shareholder, officer holder or associate of a legal entity of private law, does not constitute sufficient evidence of responsibility in the commission of the crime of money laundering, in which criminal proceedings be understood another Member the legal person. (**) (***)

(*) Article force under the amendment introduced by the First Article of Law No. 26223, published on 21/08/93

(**) Paragraph added by the sole article of Law No. 27225, published on 17/12/99.

Note: This article was initially built by Article 1 of Legislative Decree No. 736 published on 12/11/91, then the Legislative Decree was repealed by Article 1 of Law No. 25399, published on 10/02/92. Article incorporated by Article 1 of Decree Law No. 25428 published on 11/04/92

(***) Article repealed by Article 8 of Law No. 27765, published on 27-06-2002.

Article 296-C-Seeding compulsive coca or poppy

Which by threat or violence and illicit purposes forces another to planting coca or poppy or processing it shall be punished with life imprisonment. (*) (**)

(*) Article inserted by Article 2 of Law No. 26223, published on 21/08/93

(**) Article repealed by Article 3 of Law No. 28002, published on 17-06-2003.

Article 296-D-Marketing and cultivation of poppy plantations

The executing acts of cultivation, promotion, facilitation and financing of plantations of opium, shall be punished by not more custodial sentence of not less than eight of fifteen, with one hundred eighty to three hundred I sixty-five days' fine and disqualification under Article 36, items 1), 2) and 4).

If the amount of plants in the preceding paragraph shall not exceed one hundred, the agent shall be punished by imprisonment of not less than two nor more than eight years, with three hundred and sixty five to seven hundred and thirty days' fine and disqualification under Article 36 , items 1), 2) and 4).

Comerciliza the transferor or poppy seeds shall be punished with the same penalty established by the first paragraph of this article. (*) (**)

(*) Article inserted by Article I of Law No. 26332, published on 06/24/94

(**) Article repealed by Article 3 of Law No. 28002, published on 17-06-2003.

Article 297. Aggravated-Forms

The penalty is imprisonment of not less than twenty five years freedom; hundred eighty three hundred sixty-five days to-fine and disqualification under Article 36, paragraphs 1, 2, 4, 5 and 8, when:

1. The agent is official or public servant responsible for the prevention or investigation of any crime or has a duty to impose penalties or monitor its implementation.
2. The agent has the teaching profession or acts as such at any level of education.
3. The agent is medical, pharmaceutical, chemical, dentist or health profession exercises.
4. The fact is committed inside or near an educational institution, health center, health, sports arena, place of detention or imprisonment.
5. The agent uses or used for the commission of the offense minors or any other person unimpeachable.
6. The agent is public authority elected by popular suffrage.
7. The fact is committed by three or more persons or the active agent integrates an organization dedicated to illicit drug trafficking at national or international level (*) (**) (***)

(*) Subparagraph 7 incorporated by the single article of Law No. 26619, published on 09/06/96.

The penalty is life when chain:

1. The agent acts as leader or leader of an organization for the smuggling

drug national or international level.

2. The agent uses the drug trade to finance activities of terrorist groups. (**)

(**) Article in force under the amendment introduced by Article 3 of Law No. 26223, published on 08/21/93

(***) Article amended by Article 1 of Law No. 28002, published on 17-06-2003, which reads as follows:

"Article 297. Aggravated Forms

The penalty is imprisonment of not less than fifteen nor more than twenty-five years, from one hundred eighty to three hundred sixty-five days' fine and disqualification under Article 36, paragraphs 1, 2, 4, 5 and 8 when:

1. The agent commits the act abusing the exercise of public functions.
2. The agent has the teaching profession or acts as such at any level of education.
3. The agent is medical, pharmaceutical, chemical, dentist or other health profession exercises. (*) GRINDING FOR ERRATA
4. The fact is committed inside or near an educational institution, health center, health, sports arena, place of detention or imprisonment. (*) GRINDING FOR ERRATA
5. The agent sells drugs to minors, or used for sale or uses an unimpeachable person.
6. The fact is committed by three or more persons, or as a member of an organization dedicated to drug trafficking or engaged in the marketing of inputs for processing.
7. The drug to be marketed or sold exceeds the following amounts: twenty kilograms of cocaine base ten kilograms of cocaine, five kilograms of opium latex or five hundred grams of derivatives thereof, and one hundred kilograms of marijuana or two kilograms of derivatives.

The penalty is imprisonment of not less than twenty-five nor more than thirty-five when the agent acts as head, leader or leader of an organization dedicated to drug trafficking or inputs for processing.

The same penalty applies to the agent of illicit drug trafficking to finance terrorist activities will apply. "

Article 298.-micromarketing or microproduction

If the small amount of drugs or raw materials possessed, manufactured, extracted or prepared by the agent, the imprisonment shall be not less than two nor more than eight years, three hundred and sixty five to seven hundred and thirty days' fine and disqualification under Article 36, paragraphs 1, 2 and 4.

If you distributed the drug in small quantities and directly to individual consumers, clearly not criminally responsible, the imprisonment shall be not less than one nor more than four years, one hundred and eighty to three hundred and sixty days' fine and disqualification under Article 36 , paragraphs 1, 2 and 4.

For the purposes of the application of this article is considered small amount of drug hundred grams of cocaine base and illicit derivatives, venticinco grams of cocaine, marijuana and two hundred grams of twenty grams of marijuana derivatives. (*)

The Executive, through Supreme Decree shall determine those for other drugs amounts. (*) (**)

(*) Paragraphs supplemented by article 1 of Law No. 26320, published on 06/02/94

Matches: Law No. 26320, Sec. 2 and 4

(**) Article amended by the single article of Law No. 27817, published on 08/13/2002, which reads as follows:

"Article 298. Micro-marketing or microproduction

If the small amount of drugs or raw materials possessed, manufactured, extracted or prepared by the agent, the deprivation of liberty shall be not less than two nor more than eight years, from three hundred sixty-five to seven hundred and thirty days' fine and disqualification under Article 36, paragraphs 1, 2 and 4.

If you distributed the drug in small quantities and directly to individual consumers, clearly not criminally responsible, the deprivation of liberty shall be not less than one nor more than four years, from one hundred eighty to three hundred sixty-five days' fine and disqualification under Article 36 paragraphs 1, 2 and 4.

The penalty shall be not less than six years and not exceeding twelve years, if the agent is within any of the cases referred to in paragraphs 2, 3, 4, 5 or 6 of Article 297, above, except that the small many people clearly inimputables drug is delivered.

For the purposes of the application of this article it is considered small amount of drug to fifty grams of cocaine base and illicit derivatives, twenty grams of cocaine, five grams of opium or its derivatives gram; Eighty grams of marijuana or ten grams of derivatives.

The executive branch determined by Supreme Decree those for other drug quantities and synthetic preparation. "(*)

(*) Article amended by Article 1 of Law No. 28002, published on 17-06-2003, which reads as follows:

"Article 298. micromarketing or microproduction

The penalty is imprisonment of not less than three nor more than seven years and one hundred eighty to three hundred sixty days' fine when: (*) GRINDING FOR ERRATA

1. The amount of produced, extracted, prepared, sold or possessed by the drug agent does not exceed fifty grams of cocaine base and illicit derivatives, twenty grams of cocaine, five grams of opium latex or one gram of their derivatives hundred grams of marijuana or ten grams of derivatives.

The executive branch determined by supreme decree those for other drug quantities and synthetic preparation.

2. Raw materials or inputs sold by the agent not exceeding that required for the preparation of quantities of drugs listed in the preceding paragraph.

The penalty is imprisonment of not less than six years nor more than ten years freedom and three hundred sixty seven days-fine when the agent run the offense in the circumstances described in paragraphs 2, 3, 4, 5 or 6 of Article 297 the Penal Code. "

Article 299.-Drug Possession unpunished

The drug having your own personal dose for immediate consumption is exempt from punishment.

To determine the personal dose, the judge will consider the correlation between weight-dose, purity and apprehension of the drug. (*)

(*) Article amended by Article 1 of Law No. 28002, published on 17-06-2003, which reads as follows:

"Article 299.- not punishable Possession

Not punishable possession of drugs for own immediate consumption, not exceeding five grams of cocaine base, two grams of cocaine, eight grams of marijuana or two grams of derivatives, one gram of latex Two hundred milligrams of opium or a derivative thereof.

It excluded from the scope of the provisions of the preceding paragraph possession of two or more types of drugs. "

Article 300.- drug abuse Supply

The doctor, pharmacist, chemist, dentist or other health professional who abuse prescription, prescribe, administer or dispenses medicine containing toxic, narcotic or psychotropic drugs shall be punished by imprisonment of not less than two nor more than five years and disqualification under Article 36, paragraphs 1, 2 and 4.

Matches: Law No. 26320, Sec. 2 and 4

Article 301.-Coercion to drug

Which surreptitiously or with violence or intimidation, does consume a drug to another, it shall be punished with no greater deprivation of not less than five of eight and ninety to one hundred and eighty days' fine.

If the agent acts in order to encourage or promote the use of the drug, or if the victim is a manifestly unimpeachable person, the penalty shall be not less than eight nor more than twelve years and one hundred eighty to three hundred and sixty days' fine.

Matches: Law No. 26320, Sec. 2 and 4

Article 302. Induction or incitement to drug use

Which instigates or induces a particular person for drug abuse, it shall be punished with imprisonment of not less than two nor more than five years and ninety to one hundred and eighty days' fine.

If the agent acts for purposes of profit or if the victim is manifestly unimpeachable person, the penalty shall be not less than five nor more than eight years and three hundred and sixty to one hundred eighty days' fine.

Matches: Law No. 26320, Sec. 2 and 4

Article 303.-Pena expulsion

The foreigner who has served the sentence imposed will be expelled from the country, is forbidden to reentry.

CHAPTER IV

CRIMES AGAINST IMMIGRATION ORDER (*)

SMUGGLING OF PERSONS

(*) Chapter incorporated by the single article of Law No. 27202, published on 11/15/99.

Article 303-A.-

The illicit and in order to obtain a financial advantage for himself or for another, run, promotes, encourages or facilitates the entry or departure of another, it shall be punished with imprisonment of not less than one nor more than four years, one hundred eighty to three hundred sixty-five days' fine and disqualification from one to two years under Article 36, paragraphs 1, 2, 3 and 4.

The penalty is imprisonment of not less than four nor more than eight years, with three hundred sixty-five to seven hundred and thirty days' fine and disqualification from two to four years, in accordance with Article 36, paragraphs 1, 2, 4 and 8 when:

1. The agent is official or public servant responsible for the management and migration control, prevention or investigation of any crime or has a duty to impose penalties or monitor its implementation.

2. The conditions under which transport people seriously endanger their physical or mental integrity.

TITLE XIII

CRIMES AGAINST ECOLOGY

CHAPTER ONE

CRIMES AGAINST NATURAL RESOURCES AND ENVIRONMENT

Article 304.-Environmental pollution

Which, breaking the rules on environmental protection, contaminates pouring solid, liquid, gaseous or any other kind above specified limits, and which causes or may cause damage or changes in flora, fauna and aquatic resources It shall be punished with imprisonment of not less than one nor more than three years or one hundred eighty three hundred and sixty days' fine.

If the agent acted because, the penalty is imprisonment not exceeding one year or community service of ten to thirty days.

Article 305. Aggravated Forms

The penalty is imprisonment of not less than two nor more than four years and (*) GRINDING FOR ERRATA three hundred and sixty five to seven hundred and thirty days-fine when:

1. The acts referred to in Article 304 cause danger to the health of people or their property.
2. The alteration caused injury or acquire a catastrophic character.
3. The agent acted clandestinely in the exercise of their activity.
4. Contaminants actions seriously affect the natural resources that are the basis of economic activity.

If, as a result of the polluting activity, serious injury or death occur, the penalty shall be:

a) imprisonment for not less than three nor more than six years and three hundred sixty-five to seven days' fine, in case of serious injury.

b) imprisonment for not less than four nor more than eight years and seven hundred thirty 1460 days' fine, in case of death.

Article 306.-responsibility of public officials for illegal licensing

The public official who granted operating license for any industrial activity or who knowingly reports favorably for granting without observing the requirements of laws and regulations on environmental protection shall be punished with imprisonment of not less than one nor more than three years, and disqualification from one to three years in accordance with Article 36, paragraphs 1, 2 and 4.

Article 307. Failure to comply with health standards

The banking, markets or industrial or household waste poured in or without complying with health standards and environmental protection unauthorized places shall be punished with imprisonment not exceeding two years.

When the agent is official or public servant, the penalty shall be not less than one nor more than three years, and disqualification from one to two years in accordance with Article 36, paragraphs 1, 2 and 4.

If the agent acted because, the penalty is imprisonment not exceeding one year.

When the agent contravenes laws, regulations or established provisions and uses solid feed for animals intended for human consumption waste, the penalty shall be not less than two nor more than four years and three hundred and sixty to one hundred and eighty days' fine.

Article 307-A.- illegal entry into the country of hazardous waste

Which illegally'll enter the national territory, permanently or in transit, creating a risk to environmental balance, waste or waste resulting from a production process, extraction, processing, use or consumption, which have not entered as inputs for production processes qualified as hazardous or toxic by special legislation on the subject, shall be punished with imprisonment of not less than one nor more than three years and one hundred fifty to three hundred days' fine.

The same penalty the public official who authorized the entry into the national territory classified as hazardous or toxic waste by legal provisions is punishable. (*)

(*) Article inserted by the single article of Law No. 26828, published on 30/06/97

Article 308.-Predation of flora and fauna protected legally

The hunting, capture, collect, extract or marketed species of flora or fauna that are legally protected, shall be punished with imprisonment of not less than one nor more than three years.

The penalty shall be not less than two nor more than four years and three hundred and sixty to one hundred eighty days-fine when:

1. The fact is committed in period of seed production or reproduction or growth of the species.
2. The fact is committed against rare or endangered.
3. The offense is committed by using explosives or toxic substances.

Article 309. Illegal extraction of aquatic species

The extracting species of flora or fauna aquatic times, amounts and areas that are prohibited or forbidden or uses prohibited methods of fishing or hunting, shall be punished with imprisonment of not less than one nor more than three years. (*)

(*) Article amended by the single article of Law No. 28154, published on 07/01/2004, which reads as follows:

"Article 309. The extracting species of aquatic flora and fauna times, quantities, size and areas that are prohibited or forbidden or using methods of fishing or prohibited hunting, or illicit means, shall be punished by imprisonment of not less than two nor more than five years. "

Article 310.-Predation protected forests

Whoever destroys, burns, damaged or logging, in whole or in part, forests or other natural or cultured plant formations that are legally protected, shall be punished with imprisonment of not less than one nor more than three years.

The penalty shall be not less than two nor more than four years and ninety to one hundred and twenty days' fine, if:

1. From crime is decreasing natural waters, soil erosion or modification of the climate regime.
2. The offense is in places where there are aspects that supply water to a population center or irrigation system.

Article 311.-Misuse of agricultural land

Which uses land intended for agricultural use competent authority for the purposes of urban sprawl, extraction or processing of building materials or other specific uses, it shall be punished with imprisonment of not less than one nor more than three years.

Using the results that the ground itself or through social media, offered for sale for any urban or other purposes, intangibles agricultural areas shall be punished with the same penalty.

Article 312. Authorization of activity contrary to the plans or use prescribed by law

The public official who authorizes a project of urbanization (*) GRINDING FOR ERRATA for other activities not in accordance with the plans or intended uses by legal devices or professional reporting favorably, knowing its illegality, shall be punished by imprisonment freedom no more than two years and disqualification from one to two years in accordance with Article 36, paragraphs 1, 2 and 4.

Article 313.-Alteration of the environment or landscape

Which, contrary to the provisions of the competent authority, alters the natural environment or the urban or rural landscape, or modify the flora or fauna, by building works or logging that damage the harmony of its elements, it shall be punished by imprisonment imprisonment not exceeding two years and sixty to ninety days' fine.

Article 314.-Measure precautionary

The Criminal Judge ordered as a precautionary measure, the immediate suspension of the polluting activity, as well as the permanent or temporary closure of the establishment concerned in accordance with Article 105 paragraph 1, without prejudice to what may order the authority environmental.

TITLE XIV

CRIMES AGAINST PUBLIC TRANQUILITY

CHAPTER I

CRIMES AGAINST PUBLIC PEACE

Article 315.-riot

Which takes part in a tumultuous meeting, which has collectively committed violence against persons or against property, it shall be punished with imprisonment not exceeding two years.

If the provocation is to commit crimes against public security or public tranquility, the penalty shall be not less than three nor more than six years. (*)

(*) Article amended by Article 2 of Law No. 27686, published on 03/19/2002, which reads as follows:

"Section 315.-riot

Which in a tumultuous meeting, threatens the physical integrity of persons and / or through violence causes severe damage to public or private property, it shall be punished by imprisonment of not less than three nor more than six years. "

Article 316.-Apology

Whoever publically makes a defense of a crime or the person who has been convicted as the perpetrator or accomplice, it shall be punished with imprisonment of not less than one nor more than four years.

If the apology is made of crimes against public security and peace, against the State and national defense, or against the branches of government and constitutional order, the penalty shall be not less than four nor more than six years.

"If the apology is the crime of terrorism or the person who has been convicted as the perpetrator or accomplice, the penalty shall be not less than six nor more than twelve years. In addition he imposed the maximum penalty of fine provided for in Article 42 and disqualification in accordance with paragraphs 2, 4 and 8 of Article 36 of the Penal Code ". (*)

(*) Paragraph incorporated by Article One of the Legislative Decree No. 924, published on 20-02-2003.

Article 317.-Group illicit

Which is part of a group of two or more persons to commit crimes will be punished, by the mere fact of being a member of the group, by imprisonment for not less than three nor more than six years.

When the group is intended to commit the crimes of genocide, crimes against public security and peace, against the State and national defense or against the branches of government and constitutional order, the penalty shall be not less than eight years, one hundred eighty three hundred and sixty five day fines and disqualification under Article 36, paragraphs 1, 2 and 4.

Article 318. Offenses The Final Cut

It shall be punished with imprisonment not exceeding two years:

1. Anyone who desecrates the resting place dead or publicly reviles him.
2. that disturbs a funeral procession.
3. Whoever subtracts a corpse or a part thereof or its ashes or exhumed without authorization.

"In the case referred to in paragraph 3 of this Article, when the act is committed for profit, the penalty shall be imprisonment for not less than two years nor more than four years and disqualification under paragraphs 1, 2 and 4 Article 36 of the Penal Code. "(*)

(*) Paragraph inserted by the Fourth and Final Transitional Provision of Law No. 28189, published on 18-03-2004.

"Article 318-A.- Crime onerous intermediation of organs and tissues

shall be punished by not more custodial sentence of not less than three to six years, for profit and not observe the law of matter, buy, sell, import, export, store or transport human organs or tissues from living persons or corpses, concurring the following circumstances:

- a) Use the media written or audiovisual press or database or system or computer network; or
- b) constitutes or incorporates an unlawful organization to achieve those ends.

If the agent is a doctor or healthcare professional or official health sector, it shall be punished by no greater deprivation of liberty of not less than four of eight years and disqualification under Article 36 paragraphs 1, 2, 4, 5 and 8.

They are exempt from punishment donee or running the acts described in this article if its relations with the favored person are so narrow as to excuse his conduct. "(*)

(*) Article inserted by the Fifth Transitory and Final Provision of Law No. 28189, published on 18-03-2004.

TERRORISM (*)

(*) Chapter repealed by Article 22 of Decree Law No. 25475, published on 06/05/92

Article 319. Whoever provokes, creates or maintains a state of anxiety, alarm or terror in the population or any segment thereof, performing acts against life, body, health, freedom, personal safety or physical integrity of persons or against property of these, against the security of public buildings, roads or means of communication or transport of any kind, power towers or transmission, motor installations or any other good or service, using such effects violent methods, weapons, explosive materials or devices or any other means capable of causing havoc or serious disturbance of the peace or affect the international relations or social or state security, shall be punished by imprisonment of not less than ten years.

Article 320. The penalty shall:

1. imprisonment for not less than fifteen years release if the agent acts as a member of an organization to achieve its goals, whatever they are, used as a means the crime of terrorism under Article 319.

The penalty is imprisonment of not less than twenty years freedom when the agent belongs to the organization as chief, leader or leader.

2. imprisonment for not less than eighteen liberty, if the effect of the crime injuries or damage occurring in public or private property.

3. imprisonment for not less than twenty years liberty, if done involving minors in the commission of the crime.

4. imprisonment for not less than twenty years liberty, if the damage to public or private property prevents, totally or partially, the provision of essential services to the population.

5. Privativa of not less than twenty years when terrorist purposes is extorts or kidnaps people for releases of detainees or any other undue advantage by the authority or individuals, or when the same purpose unlawfully seizes medium air, water or ground transportation, whether national or foreign, alter your itinerary, or extortion or kidnapping is aimed at obtaining money, goods or any other advantage.

6. imprisonment for not less than twenty years liberty, whether as a result of the commission of the facts contained in Article 313 serious injury or death occur, provided that the agent was able to foresee these results.

Article 321. shall be punished with imprisonment of not less than ten years, who voluntarily obtains, collects or makes any act of collaboration that encourages the commission of offenses covered by this chapter or the attainment of the objectives of a group terrorist.

They are acts of collaboration:

1. Information on individuals and property, facilities, public and private buildings, urban centers and any other that has significance for the activities of the terrorist group.

2. The construction, disposal or use of any lodging or other elements that could be used to hide people or serve as a repository for weapons or explosives, food, money or other property related to terrorist groups or with their victims.

3. The concealment or transfer of integrated groups or linked to their criminal activities people as well as the provision of any assistance that favors the escape of those.

4. The organization of courses or training centers terrorist groups.

5. The manufacture, acquisition, theft, storage or supply of arms, ammunition, explosive substances, flammable, asphyxiating or toxic objects.

6. Any form of economic action, assistance or intervention undertaken with the purpose of financing terrorist groups or activities.

Article 322. Those who are part of an integrated two or more people to instigate, plan, facilitate, organize, disseminate or commit acts of terrorism, mediate or immediate, as provided in this Chapter, the organization shall be punished, for the mere fact grouped or associated with imprisonment not less than ten nor more than twenty years.

Article 323. The official or public servant who deprives a person of his liberty, ordering or executing actions that result in their disappearance, shall be punished by imprisonment for not less than fifteen years and disqualification freedom.

Article 324. The exemption and reduction of penalties provided for in Articles 20 and 21 apply to the agent who voluntarily leave their links with the terrorist organization, significantly reduces the danger caused ,. It prevents the result is made or provide effective information concerning it and its ringleaders. The penalty will be reduced to two-thirds below the legal, exempted or remitted least as appropriate.

TITLE XIV-A

AGAINST HUMANITY CRIMES (*)

(*) Incorporated by Article 1 of Law No. 26926, published on 21/02/98 Title, which reads as follows:

CHAPTER I

GENOCIDE

Article 319.-Genocide - Modalities

shall be punished by imprisonment of not less than twenty years who, with intent to destroy, in whole or in part, a national, ethnic, social or religious, do any of the following acts:

1. Killing members of the group.
2. Causing serious bodily or mental harm to members of the group injury.
3. Submission of the group conditions of life calculated to bring about physical destruction of whole or in part.
4. Measures to prevent births within the group.
5. Transfer forced children to another group.

MATCHING: R.Nº 627-2000-MP-CEMP

CHAPTER II

FORCED DISAPPEARANCE

Article 320. proven disappearance

The official or public servant who deprives a person of his liberty, ordering or executing actions that will result in his disappearance duly established shall be punished by imprisonment of not less than fifteen years and disqualification freedom under Article 36 paragraphs 1) and 2).

CHAPTER III

TORTURE

Article 321.-Torture - Aggravation

The official or public servant or any person with the consent or acquiescence, which inflicts another severe pain or suffering, whether physical or mental, or subject it to conditions or methods to nullify their personality or diminish their physical or mental capacity, but do not cause physical pain or mental distress, in order to obtain the victim or a third person a confession or information, or punishing him for an act he has committed or is suspected of having committed, or intimidating or coercing, will be punished by imprisonment of not less than five nor more than ten years.

If the torture causes the death of the victim or produces serious injury and could have foreseen that outcome, the sentence of imprisonment shall respectively not less than eight nor more than twenty years, not less than six nor more than twelve years.

Article 322.-professional Cooperation

The physician or healthcare professional cooperate in the commission of the offense under the preceding article shall be punished with the same penalty authors.

NOTE: In accordance with Article 5 of Law No. 26926, published on 21/02/98, crimes referred to in this Title to be processed in the ordinary way and before the civil courts. Furthermore, Article 4 of the same law states that:

4.1. Anyone can immediately request a medical examination of the injured person or those unable to appeal to the authority itself; Y,

4.2. The coroners must attend immediately to recognize whoever is the victim of torture, without prejudice to the right of the complainant to go to any doctor for verification.

(*) Chapter incorporated by Article 1 of Law No. 27270, published on 29/05/2000.

"Chapter IV

DISCRIMINATION

Article 323. Discrimination people

Which discriminates against another person or group of persons, by their racial, ethnic, religious or sexual, shall be punished by providing services to the community of thirty to sixty days or limitation of days off from twenty to sixty days.

If the agent is a civil servant it will provide services to the community of sixty to one hundred twenty days and disqualification for three years under subparagraph 2) of Article 36. "

"CHAPTER V

GENETIC MANIPULATION (*)

(*) Chapter incorporated by Article 1 of Law No. 27636 published on 16.01.2002.

Article 324. Any person who makes use of any technique of genetic manipulation in order to clone human beings, shall be punished with no greater deprivation of liberty of not less than six of eight years and disqualification under Article 36, paragraphs 4 and 8. "

TITLE XV

Offenses against the State and national defense

CHAPTER I

ATTACKS AGAINST NATIONAL SECURITY AND TREASON

Article 325. Attack against national integrity

He who does an act aimed at subjecting the Republic, in whole or in part, foreign domination or to separate part thereof, shall be punished by imprisonment of not less than fifteen years freedom.

Article 326.-participation in armed group led by foreign

Which is part of an armed group led or advised by foreign, organized within or outside the country, to act in the national territory, it shall be punished by imprisonment of not less than six nor more than ten years.

Article 327. Destruction or alteration of boundary markers

Which destroys or alters the signals that mark the limits of the territory of the Republic or makes them confused, it shall be punished by imprisonment for not less than five nor more than ten years.

Article 328. Aggravated-Forms

It shall be punished by imprisonment for not less than five years freedom which performs any of the following:

1. Accepts Invader employment, office or commission or dictate orders aimed at affirming the government of the invader.
2. Welcomes run with any State or without complying with the constitutional provisions, treaties or acts which arise or may arise a war with Peru.
3. Supports units of foreign troops or war in the country.

Article 329. unfair intelligence with foreign state

Who enters intelligence with representatives or agents of a foreign state, in order to provoke a war against the Republic, shall be punished by imprisonment of not less than twenty years freedom.

Article 330.-Revelation of national secrets

Which it reveals or makes accessible to a foreign state or its agents or public, secret that the interest of the Republic requires saving shall be punished by imprisonment for not less than five nor more than fifteen years.

If the agent acts for profit or any other mobile ignoble, the penalty shall be not less than ten years.

When the agent acts because, the penalty shall not exceed four years.

Article 331.-Espionage

The spying to communicate or communicates or makes accessible to a foreign state or public, facts, provisions or kept secret by national defense interest objects shall be punished by imprisonment of not less than fifteen years freedom.

If the agent acted because the penalty shall not exceed five years.

Article 331-A

Which by any means shows, plays, exhibits, disseminates or makes accessible in whole or in part, the information content and / or secret activities of the National Defense System, shall be punished by not more custodial sentence of not less than five ten years and disqualification in accordance with Article 36, paragraphs 1, 2 and 4 of this Code.

Which provide or make available to third parties, without proper authorization, information and / or activities which the preceding paragraph refers, it shall be punished by not more custodial sentence of not less than six twelve years and disqualification in accordance with Article 36, paragraphs 1, 2 and 4 of this Code. (*)

(*) This article would have been built by Article 1 of Legislative Decree No. 762, published on 15.11.91, the Legislative Decree was subsequently repealed by section Law No. 25399, published on 2/10/92, therefore, this article would be tacitly repealed.

Article 332. State-Favoring war to foreign-Favoring aggravated

The delivering a goods for national defense or favors him through services that can weaken or relief shall be punished by imprisonment of not less than fifteen years foreign state freedom.

If the agent acts for profit or any other mobile ignoble punishment shall be not less than twenty years.

Article 333.-Public Incitement to military disobedience

Who publicly provokes disobedience of a military order or violation of the duties of service or rehusamiento or desertion it shall be punished with imprisonment not exceeding four years.

Article 334.-Expatriation

Offenses under Articles 325, 326, 329, 330, 331 and 332 shall be punished further with expatriation. culpable modalities are excluded from this penalty.

CHAPTER II

COMMIT CRIMES THAT THE STATE FOREIGN AFFAIRS

Article 335. Violation of immunity-Head of State Diplomatic Agent

Whoever violates the immunities of the Head of a State or a diplomatic agent or outrages in the person of these to a foreign state, or snatches or degrades the emblems of sovereignty of a friendly nation in an act of contempt it shall be punished by imprisonment imprisonment for not less than two nor more than five years.

Article 336.-Attack against person enjoying international protection

Which attentive, in the territory of the Republic, against life, health or freedom of a person enjoying international protection shall be punished in case of attack against life, with imprisonment of not less than ten nor more fifteen years and, in other cases, by imprisonment for not less than five nor more than ten years.

Article 337. Violation of foreign-sovereignty

Which violates the sovereignty of a foreign state, practicing in its territory wrongdoing or enters the same contravention of the rules of international law shall be punished with imprisonment not exceeding five years.

Article 338.-A confederacy against a foreign state

Which, in the territory of the Republic, practice acts intended to disrupt by violence the political organization of a foreign state shall be punished with imprisonment not exceeding five years.

If the agent acts for profit or any mobile ignoble, the penalty shall be not less than five nor more than ten years.

Article 339.-Acts against hostile foreign state

Who practices without government approval, hostile acts against a foreign state, giving reason to the danger of a declaration of war against the Republic or expose its people to harassment or reprisals against their person or property or alters the friendly relations of the Peruvian State with another shall be punished by imprisonment of not less than two nor more than eight years.

If the agent acts for any other mobile or when it acts hostile war, the penalty is not less than eight years and three hundred and sixty to one hundred eighty days' fine.

Article 340.-Violation of treaties or conventions Peace

Which violates peace treaties or conventions in force between Peru and other States or truces or ceasefires, it shall be punished with imprisonment of not less than one nor more than four years.

Article 341. Military Espionage detriment of foreign state

Which, in Peruvian territory, collecting military information to a foreign state, to the detriment of another State, it shall be punished by imprisonment of not less than two nor more than four years.

Article 342.-Execution of acts of foreign authorities on national territory

Which, apart from the intervention of the competent authority, run or commands execute acts of authority of a foreign country or an international body within the territory of the Republic it shall be punished by imprisonment of not less than two nor more than five years and disqualification from one to three years in accordance with Article 36, paragraphs 1 and 2.

Article 343. Acts of hostility ordered by belligerents

Which, during war in which the Republic has declared its neutrality, practice acts intended to perform in the country hostile measures ordered by the belligerents, shall be punished with imprisonment not exceeding two years.

CHAPTER III

CRIMES AGAINST THE VALUES OF SYMBOLS AND HOMELAND

Article 344.-Outrage to symbols, heroes or heroes of the Fatherland

Whoever publicly or by any media, offends, insults, vilifies or disparage, for work or verbal expression, the symbols of the homeland or the memory of the heroes or heroes that our history consecrates, it shall be punished by imprisonment of freedom no more than four years and sixty to one hundred and eighty days' fine.

It publishes or broadcasts which, by any means the map of Peru with impaired limits, shall be punished with the same penalty.

Article 345. Acts of contempt against symbols, heroes and national heroes

Which, by act of contempt, used as a brand, in patterns of clothing or otherwise, the symbols of the country or the image of the heroes and heroes, shall be punished with imprisonment not exceeding one year , or community service for twenty to thirty days.

TITLE XVI

CRIMES AGAINST THE POWERS OF THE STATE AND CONSTITUTIONAL ORDER

CHAPTER I

Rebellion, sedition and rioting

Matches: Law No. 27770

Article 346. Rebellion

Anyone who takes up arms to change the form of government, overthrow the legally constituted government or delete or modify the constitutional regime, shall be punished with imprisonment of not less than ten nor more than twenty years and expatriation.

Article 347.-Sedition

Which, without ignoring the legally constituted government, takes up arms to prevent the authority freely exercises its functions or to avoid compliance with laws or resolutions or prevent regional or local elections, parliamentary, it shall be punished by imprisonment deprivation of freedom not less than five nor more than ten years.

Article 348. Mutiny

Which, in a riotous, using violence against people or force things, people's rights are attributed and petitioning on behalf of the latter to require the authority execution or omission of an act of their duties, shall be punished by imprisonment not less than one nor more than six years.

Article 349. Conspiracy to rebellion, sedition or mutiny

Whoever takes part in a conspiracy of two or more persons to commit crimes of rebellion, sedition or mutiny shall be punished with imprisonment not exceeding half the maximum set for the crime that was perpetrated.

Article 350.-Seducción, usurpation and illegal detention of command

Which seduces troops, usurps command of the same, command of a ship or aircraft of war or a stronghold or guard post, or illegally retains a political or military command in order to commit rebellion, sedition or mutiny It shall be punished with imprisonment not exceeding two-thirds of the maximum set for the crime that was perpetrated.

CHAPTER II

COMMON PROVISIONS

Article 351. Exemption of grief and responsibility of promoters

The rebels, rebels or mutineers who undergo legitimate authority or dissolve before it makes them intimations, or do as a result of them, without causing other harm than the momentary disturbance of order, are exempt from it. Exceptions to the promoters or directors, who shall be punished with imprisonment not exceeding half the maximum set for the crime that was perpetrated.

Article 352.-Omission of resistance to rebellion, sedition or mutiny

The official or public servant who, being able to, not resisting a rebellion, sedition or mutiny shall be punished with imprisonment not exceeding four years.

Article 353. Disqualification

Officials, civil servants or members of the Armed Forces or the National Police, who are guilty of offenses under this title shall be also punished with disqualification of one to four years in accordance with Article 36, paragraphs 1, 2 and 8.

TITLE XVII

CRIMES AGAINST PEOPLE'S WILL

CHAPTER ONE

CRIMES AGAINST THE RIGHT TO VOTE

Article 354.-Disturbance or impairment of electoral process

Which, by violence or threat, disrupts or prevents a general election, parliamentary, regional or local develops, shall be punished by imprisonment of not less than three nor more than ten years.

Article 355. Impediment to the exercise of voting rights

Whoever, by force or threat, prevents a voter to exercise their right to vote or forces him to do so in a certain sense, it shall be punished with imprisonment of not less than one nor more than four years.

Article 356.-Inducing or do not vote in a certain way

Which, by gifts, promises or advantages tries to induce a voter to vote or not to vote in a certain way, it shall be punished with imprisonment of not less than one nor more than four years.

Article 357. voter-Spoofing

Which supplants another voter or vote more than once in the same election or defrays without law, it shall be punished with imprisonment of not less than one nor more than four years.

Article 358. Illegal Advertising of Vote

The voter who gives publicity the meaning of their vote in the electoral act, shall be punished with imprisonment not exceeding one year or community service for twenty to thirty days.

Article 359.-Violations of the right to vote

It shall be punished by imprisonment of not less than two nor more than eight years which, in order to prevent or alter the outcome of an election, do any of the following:

1. Insert or does insert or delete or suppress ago unduly names in the formation of an electoral register.
2. Falsify or destroyed in any way, in whole or in part voter registration, voter registration cards or tally sheets or concealed, retained or banishes those documents, so that made it difficult to falsify the election or its outcome.
3. Subtract, destroys or replaces amphoras used in an election before the screening done.
4. Subtract, destroy or substitute ballot papers that were deposited by the voters.
5. Altera, in any way, the outcome of an election or making impossible the realization of scrutiny.
6. Receive, being a member of a polling station, the vote of a citizen not included in the list of voters of that table or unjustifiably rejects the vote of an elector included in that list.
7. It deprives a citizen unduly their electoral book or retained in order to prevent him will meet.

Article 360.-Disqualification

The official or public servant or member of the Armed Forces or the National Police who commits an offense under this Title will suffer further disqualification of one to three years in accordance with Article 36, paragraphs 1 and 2.

TITLE XVIII

CRIMES AGAINST PUBLIC ADMINISTRATION (*)

CHAPTER I

FOR PARTICULAR OFFENSES

SECTION I

Usurpation of authority, titles and honors

(*) Matches: Law No. 27765, Art. 6

Law No. 27770

Article 361.-usurpation of civil

Which, without title or appointment, usurping public office, or the power to give military or police orders, or who, being dismissed, removed, suspended or subrogated from office continues to exercise it, or which exercises functions corresponding to charge different he has, shall be punished by imprisonment for not less than four nor more than seven years, and disqualification from one to two years in accordance with Article 36, paragraphs 1 and 2.

If to commit the crime, the agent pays faces resistance or the security forces, the penalty is imprisonment of not less than five nor more than eight years. (*)

(*) Article in force under the amendment introduced by Article 1 of Decree Law No. 25444, published on 23/04/92.

Article 362.-flaunts distinctive feature or charges does not exercise

Which publicly boasts logos or distinctive of a function or position that does not exercise or academic degree, professional degree or honors that do not belong, it shall be punished with imprisonment not exceeding one year or community service arrogates ten to twenty days.

Article 363. Illegal profession-exercise

Which, with false title or entitled to without meeting the legal requirements, exercised profession that requires them, shall be punished with imprisonment of not less than one nor more than four years. (*)

(*) Article amended by Article 1 of Law No. 27754, published on 14-06-2002, which reads as follows:

"Article 363. Illegal profession-exercise

Which, with false title or that without meeting the legal requirements, exercised profession that requires them shall be punished by imprisonment of not less than two nor more than four years. "

Article 364. Participation in illegal exercise of the profession

The professional who protects his signature work who has no title to exercise this right, shall be punished with imprisonment not exceeding four years and disqualification from one to three years in accordance with Article 36, paragraphs 1 and 2.

SECTION II

Violence and Resistance to Authority

Article 365.-Violence against authority to force something

Which, without public uprising by force or threat, it prevents an authority or an official or public servant performing his duties or forces him to practice a specific act of his duties or if he interferes in the exercise thereof, shall be punished by imprisonment deprivation freedom no longer than two years.

Article 366. Violence against authority to prevent the exercise of their duties

Which employs intimidation or violence against a public official or the person providing the care under a legal duty or at the request of the former, to prevent or lock the execution of an act of legitimate exercise of their duties, it shall be punished by imprisonment not less than one nor more than three years. (*)

(*) Article amended by the single article of Law No. 27937, published on 12-02-2003, which reads as follows:

"Article 366. Violence against authority to prevent the exercise of their duties

Which employs intimidation or violence against a public official or the person providing the care under a legal duty or at the request of the former, to prevent or lock the execution of an act of legitimate exercise of their duties, it shall be punished by custodial sentence of not less than two nor more than four years or community service for eighty to one hundred and forty days. "

Article 367. Aggravated Forms

In cases of 365th and 366th articles of the custodial penalty shall be not less than three nor more than six years when:

1. The fact committed armed robbery.
2. The fact is performed by two or more people.
3. The author is official or public servant.
4. The author brings a serious injury have been foreseen.

If the victim dies and the agent could foresee this result, the penalty is imprisonment of not less than five nor more than fifteen years. (*)

(*) Article amended by the single article of Law No. 27937, published on 12-02-2003, which reads as follows:

"Article 367. Aggravated Forms

In cases of Articles 365 and 366, the imprisonment shall be not less than three nor more than six years when:

1. The fact is performed by two or more people.
2. The author is official or public servant.

The imprisonment shall be not less than four nor more than seven years when:

1. The fact committed armed robbery.
2. The perpetrator causes serious injury have been foreseen.

If the victim dies and the agent could foresee this result, the penalty is imprisonment of not less than seven nor more than fifteen years "

Article 368.-Disobedience or resistance to authority

Whoever disobeys or resists the order issued by a public official in the exercise of its powers, except in the case of the arrest itself, it shall be punished with imprisonment not exceeding two years.

Article 369. Violence against elected officials

Which prevents senators or deputies or members of regional assemblies or mayors or aldermen exercise of his public duties, it shall be punished with imprisonment of not less than one nor more than four years.

If the agent is official or public servant also will suffer disqualification of one to three years under Article 36, paragraphs 1 and 2.

Article 370.-Attack on conservation and identity object

Which destroys or starts wraps, seals or marks placed by the authority to retain or identify an object, shall be punished with imprisonment not exceeding two years or community service for twenty to thirty days.

Article 371.-Refusal to cooperate with the administration of justice

The witness, expert, translator or interpreter who, being legally required, fails to appear or provide a statement, report or relevant service, it shall be punished with imprisonment not exceeding two years or community service for twenty to thirty journeys.

The expert, translator or interpreter shall be also punished with disqualification six months to two years in accordance with Article 36, paragraphs 1, 2 and 4.

Article 372.-Attack on documents that serve as evidence in the proceedings

Which subtracts, hidden, changed, destroyed or unusable objects, records or documents to be submitted as evidence to the competent authority substantiating a process entrusted to the custody of an officer or another person, shall be punished with imprisonment not less than one nor more than four years.

If the destruction or disablement is due, the penalty is imprisonment not exceeding one year or community service for twenty to forty days.

Article 373.-Subtraction of objects seized by authority

Which subtracts objects seized by the authority it shall be punished by imprisonment of not less than two nor more than four years.

SECTION III

DISRESPECT

Article 374.-Contempt

Which threatens, insults or otherwise offends the dignity or decorum of a public official because of the exercise of their functions or exercising time, it shall be punished with imprisonment not exceeding three years.

If the victim is President of one of the branches of government, the penalty shall be not less than two nor more than four years. (*)

(*) Article repealed by the single article of Law No. 27975, published on 29/05/2003.

Article 375.-Disrupting the order in the place where the authority exercises its function

Which causes disorder in the session hall of Congress or the Legislative Chambers, Regional Assemblies, Municipal Councils or the courts or other place where public authorities exercise their functions or entering armed in such places It shall be punished with imprisonment not exceeding one year or community service for twenty to thirty days.

CHAPTER II

OFFENSES COMMITTED BY PUBLIC OFFICIALS

SECTION I

AUTHORITY ABUSE

Article 376. Abuse of authority

The public official who, abusing their powers, commits or orders, to the detriment of someone, either an arbitrary act, shall be punished with imprisonment not exceeding two years. (*)

(*) Article amended by the Seventh Final Provision of Law No. 28165, published on 01/10/2004, which reads as follows:

"Article 376. Abuse of authority

The public official who, abusing their powers, commits or orders, to the detriment of someone, either an arbitrary act, shall be punished with imprisonment not exceeding two years.

When facts arising from enforced collection proceedings, the penalty shall be not less than two nor more than four years. "

Article 377. Omission, rehusamiento or delay functional acts

The public official who illegally omits, refuses or delays any act of his office, shall be punished with imprisonment not exceeding two years and thirty to sixty days' fine.

Article 378. Refusal or inadequate police support

The policeman who refuses, omits or delays, without just cause, the provision of legal assistance required by the competent civil authority, shall be punished with imprisonment not exceeding two years.

If the provision of assistance is required by an individual at risk, the penalty shall be not less than two nor more than four years.

Article 379.-Requirement of police abuse

The public official who requires the assistance of the police to oppose the enforcement of legal provisions or orders of authority or against execution of judgment or injunction shall be punished with imprisonment not exceeding three years.

Article 380. Abandonment of charge

The official or public servant who, in service damage, leaves office without having legally ceased to exercise thereof, shall be punished with imprisonment not exceeding two years.

If the agent prompts the collective abandonment of work to officials or public servants the penalty shall be imprisonment not exceeding three years.

Article 381.-Appointment or illegal acceptance

The public official who makes an appointment to public office person who did not attend the legal requirements, shall be punished by sixty to one hundred and twenty days' fine.

Who accepts the position without the legal requirements shall be punished with the same penalty.

SECTION II

CONCUSSION

Matches: Law No. 27770 (Penal and Penitentiary Benefits)

applicable to all forms of this crime

Article 382. Extortion

The official or public servant who, abusing his position, compels or induces a person to give or unduly promise, for himself or for other goods or patrimonial benefit, shall be punished by imprisonment for not less than two nor more eight years.

Article 383. Improper Collection

The official or public servant who, abusing his position requires or does pay or deliver contributions or emoluments not due or amount exceeding the legal rate, it shall be punished with imprisonment of not less than one nor more than four years.

Article 384. Collusion

The official or public servant who, in contracts, supplies, tenders, price competition, auction or any other similar operation in which intervention by virtue of their office or special commission defrauds the State or entity or agency of the State, according to law, concertándose with stakeholders in the agreements, adjustments, settlements or supplies shall be punished by imprisonment of not less than three nor more than fifteen years. (*)

(*) Article in force under the amendment introduced by Article 2 of Law No. 26713, published on 12/27/96

Article 385. Illegal-Sponsorship

Which, using as an official or public servant, sponsors private interests with public authorities, shall be punished with imprisonment not exceeding two years or community service for twenty to forty days.

Article 386.-Liability of experts, officials and private accountants

The provisions of Articles 384° and 385° apply to expert witnesses, referees and accountants Individuals, in respect of property whose appraisal, award or partition involved; and tutors, healers and executors, for those belonging to or incapable probates. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26643, published on 26/06/96. This article initially was amended by the Third Amending Arrangement Act No. 26572, published on 05/01/96.

SECTION III

PECULATION

applicable in all forms of this crime,

except culpable form

Article 387.- Embezzlement

The official or public servant who appropriates or used in any form, for himself or another, or assets whose perception, administration or custody you are committed by reason of his office, shall be punished with imprisonment of not less than two nor more than eight years.

It constitutes an aggravating circumstance if the funds or effects were intended for welfare purposes or social support programs. In these cases, the deprivation of liberty shall be not less than four nor more than ten years.

If the agent, because, gives rise to another is made by subtracting or assets shall be punished with imprisonment not exceeding two years or community service for twenty to forty days. It constitutes an aggravating circumstance if the funds or effects were intended for welfare purposes or social support programs. In these cases, the imprisonment shall be not less than three nor more than five years. (*)

(*) Article in force under the amendment introduced by the single article of Law No. 26198, published on 06/13/93

Article 388.-Embezzlement by use

The official or public servant who, for purposes other than service uses or allows another use vehicles, machines or any other instrument of work belonging to the public service or who are under their care, shall be punished with imprisonment not exceeding four years.

This provision applies to public works contractor or its employees when those indicated effects belonging to the State or any public agency.

They are not included in this article motorized vehicles for personal service because of their office.

Article 389.-Embezzlement

The official or public servant who gives money or goods given in a way different from that to which they are intended, affecting the service or entrusted function, shall be punished with imprisonment of not less than one nor more than four years.

If the money or property that manages correspond to social support programs, development or welfare and are intended for different final application, affecting the service or entrusted function, imprisonment shall be not less than three years nor more than eight years."(*)

(*) Article in force under the amendment introduced by the single article of Law No. 27151, published on 07/07/99.

Note: Initially this article was amended by the single article of Law No. 26198 published on 13.06.93

Article 390. Delay unjustified payment

The official or public servant who, having expedited funds unreasonably delay an ordinary or decreed by the competent authority payment, shall be punished with imprisonment not exceeding two years.

Article 391.-Rehusamiento to delivery of goods deposited or taken into custody

The official or public servant who, with the formalities required by law by the competent authority, refuses to give money, things or effects deposited or placed under custody or administration, shall be punished with imprisonment not exceeding two years.

Article 392.-Extension punibilidad

They are subject to the provisions of Articles 387° to 389°, governments or custodian monies belonging to charities or similar, administrators or depositories of money or seized or deposited by order of the competent authority property, even if they belong to individuals, as well as all individuals or legal representatives of legal entities that manage or have custody of money or goods for welfare purposes or social support programs. (1) (2)

(1) Article force under the amendment introduced by the single article of Law No. 26198, published on 06/13/93

(2) Article amended by the Seventh Final Provision of Law No. 28165, published on 01/10/2004, which reads as follows:

"Article 392. Extension Type

They are subject to the provisions of Articles 387 to 389, governments or custodian money belonging to charities or similar coercive executors, administrators or trustees of money or seized or deposited by order of the competent authority property, even if they belong to individuals as well as all persons or legal representatives of legal entities that manage or have custody of money or goods for welfare purposes or social support programs. "

SECTION IV

OFFICIALS CORRUPTION

Matches: Law No. 27770 (Law on Penal and Penitentiary Benefits)

applicable to all forms of this crime, including

committed by individuals

Article 393.- own Bribery

The official or public servant who solicits or accepts a donation, promise or any other benefit to perform or omit an act in violation of its obligations or to accept them as a result of having failed in their duties, shall be punished with imprisonment not less than three nor more than six years.

Article 394.-Bribery improper

The official or public servant who solicits or accepts a donation, promise or any other undue advantage to practice an act of his office, without neglecting their duty, shall be punished by imprisonment of not less than two nor more than four years.

"Article 394-A.- Anyone who, using his status as an official or public servant, determines the distribution of goods or the provision of services related to public support programs or social development, in order to gain political advantage and / or election of any kind for himself or others, shall be punished by not more imprisonment not less than three (3) to six (6) years, and disqualification for a period equal to the sentence in accordance with paragraphs 1), 2) and 4) of Article 36 of the Penal Code. "(*)

(*) Article inserted by Article 1 of Law No. 27722, published on 14/05/2002.

Article passive 395°.-Corruption

Judge, Arbitrator, Attorney, Expert, Member of the Administrative Tribunal or any other similar request and / or accept a donation, promise or any other advantage, knowing that is made in order to influence the decision of a matter that is subject to his knowledge, it shall be punished by not more custodial sentence of not less than six fifteen years and disqualification under subparagraphs 1), 2) and 4) of Article 36 of the Penal Code and one hundred eighty to three hundred sixty-five days -penalty fee .

The disqualification as ancillary to the custodial sentence is imposed on the agent of the crime will be brought to the respective school where enrolled agent, so that within five (5) days appropriate to suspend the respective licensing under responsibility. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26643, published on 26/06/96.

Note: This article originally was amended by Article 1 of Decree Law No. 25489, published on 10.05.92 and subsequently amended by the Third Amending Arrangement Act No. 26572, published on 05/01/96

Article 396.-Corruption Corruption passive auxiliary judicial-attenuated

If in the case of article 395°, the agent is clerk or court officer or performs a similar charge, the penalty is imprisonment not exceeding four years.

Article 397. Incorrect use of charge

The official or public servant who improperly directly or indirectly or simulated act form is interested in any contract or transaction involved by virtue of his office, shall be punished by imprisonment of not less than two nor more than five years. " (*)

(*) Article in force under the amendment introduced by the single article of Law No. 27074, published on 03/26/99.

Article 398. Active-Corruption

Which makes a donation, promise or any other advantage to a Judge, Arbitrator, Attorney, Member of the Administrative Tribunal or any other similar, in order to influence the decision of a pending fault process shall be punished with imprisonment not less than three nor more than eight years. When the gift, promise or any other advantage to a witness, expert, translator or interpreter is made, the penalty shall be not less than two nor more than four years. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26643, published on 26/06/96. This article initially was amended by the Third Amending Arrangement Act No. 26572, published on 01/05/96

Article active 398°-A-corruption lawyer

If in the case of Article 398°, is Lawyer Agent crime of corruption of a judge, referee, Attorney, Member of the Administrative Tribunal or any other similar, the penalty is imprisonment of not less than five nor more than ten years and disqualification under subparagraphs 1) to 8) of Article 36 of the Penal Code, and one hundred eighty to three hundred sixty-five daily fines.

When the gift, promise or any other advantage makes the lawyer a witness, expert, translator, interpreter or other auxiliary court, the sentence of imprisonment shall be not less than four nor more than eight years and disqualification under paragraph 4) Article 36 of the Penal Code, and ninety to one hundred and twenty days' fine. (*)

(*) Article in force under the amendment introduced by Article 1 of Law No. 26643, published on 26/06/96. This article was initially built by Article 2 of Decree Law No. 25489, published on 10/05/92 and was subsequently amended by the Third Amending Arrangement Act No. 26572, published on 05/01/96.

Article 398 B. Disabling the practice of law

The disqualification as an accessory of imprisonment provided for in the previous article the authors of the crime of corruption of judges imposed will be made known to the Superior Court of respective Justice and the Chief Prosecutor Dean so that in the case of subsection 8 Article 36 is steps to cancel the registration entry in the Register Title; as well as the corresponding Bar Association Judicial District and the National Federation of Bar Associations of Peru, within five (05) days for the suspension or cancellation of collegiality. (*) GRINDING FOR ERRATA

Similarly, the prohibition imposed in accordance with paragraph 8 of Article 36 shall be communicated to the University which awarded the professional title of lawyer sentenced for the respective Rectorado, within eight (08) days, proceed to its cancellation . (*)

(+) Currently Board of Deans of the Bar of Peru by Decree Law No. 25892, published on 27/11/92.

(*) Article inserted by Article 2 of Decree Law No. 25489 published on 10.05.92

Article 399.-Corruption active official

Whoever tries to corrupt a public official or servant with gifts, promises or advantages of any kind to do or omit something in violation of their obligations shall be punished by imprisonment of not less than three nor more than five years.

If the agent is corrupt to the official or public servant do or omit an act of their duties, without neglecting his obligations, the penalty shall be not less than two nor more than four years.

Article 400. Trading in influence

Which, invoking influences, real or simulated, receives, it does give or promise to himself or a third party, gift or promise or any other advantage with the offer to intercede with an official or public servant who is dealing or has known a case judicial or administrative, it shall be punished by imprisonment of not less than two nor more than four years.

Article 401.-Enriching illicit

The official or public servant who, by virtue of his office, is enriched illegally, shall be punished by imprisonment for not less than five nor more than ten years.

"It is considered that there is evidence of illicit enrichment, when the increase in equity and / or personal financial expense of official or public servant, considering his affidavit of assets and income, is markedly higher than that normally might have had under of their salaries or perceived, or increases its capital or income for any other lawful cause emoluments. "

(*) Paragraph incorporated by Article 7 of Law No. 27482 published on 15-06-2001.

Article 401 A. Confiscation

In any case, donations, gifts or presents shall be confiscated. (*)

(*) Article inserted by Article 2 of Decree Law No. 25489 published on 10.05.92

Article 401-B.- Award to the State of confiscated property

Confiscated and seized during the police investigation and judicial process, will be made available to the Ministry of Justice; which assigned for use on official duty or of the Judiciary and the Public Ministry, where appropriate, under the responsibility. (*) GRINDING FOR ERRATA

Judgment of acquittal handed down the return of the good will be available to its owner.

Or permanently confiscated property seized will be awarded to the State and affected use those public bodies. Those goods that do not serve this purpose will be sold at public auction and product revenues constitute Treasury.
(*)

(*) Article inserted by Article 2 of Decree Law No. 25489, published on 10/05/92

MATCHING: Supreme Decree No. 029-2001-JUS

CHAPTER III

OFFENSES AGAINST THE ADMINISTRATION OF JUSTICE

SECTION I

CRIMES AGAINST JUDICIAL FUNCTION

Article 402.-Denunciation slanderous

Denouncing the authority an offense, knowing that has not been committed, or simulating evidence or indication of his commission that could serve as grounds for a criminal prosecution or falsely crime is attributed not committed or has been committed by another, it shall be punished with imprisonment not exceeding three years.

When direct or indirect evidence or indication of his commission simulation is carried out by members of the National Police or other official or public servant responsible for crime prevention, and can serve as a support for criminal prosecution for illicit drug trafficking, the imprisonment shall be not less than three nor more than six years.
(*)

(*) Paragraph added by the sole article of Law No. 27225, published on 12/17/99.

Article 403. Concealment lower-investigations

He who conceals a minor investigations of justice or carried out by the competent authority, shall be punished with imprisonment of not less than one nor more than three years.

Article 404.-Concealment staff

Which subtracts a person from criminal prosecution or execution of a sentence or other measure ordered by justice, it shall be punished by imprisonment of not less than three nor more than six years.

If the Agent subtracts the author of offenses against law and against the State and national defense, against the powers of the State and the Constitutional Order or Illicit Trafficking, the imprisonment shall be not less than seven nor more ten years and three hundred and sixty to one hundred eighty days' fine.

If the author of a coverup is official or public servant responsible for investigating the crime or custody of the offender, the penalty is imprisonment of not less than ten nor more than fifteen years. (*)

(*) Article in force under the amendment introduced by Article 1 of Decree Law No. 25429, published on 04/11/92.

Note: This article originally was amended by Article 1 of Legislative Decree No. 747, published on 11.12.91 the same as it was repealed by Article 1 of Law No. 25399, published on 10/02/92, regaining force on original text by express provision of Article 3 of the Law No. 25399.

Article 405. Real-Concealment

Which hampers judicial action seeking the removal of traces or evidence of crime or concealing the effects thereof, it shall be punished by imprisonment of not less than two nor more than four years.

406. Article absolving-Excusa

They are exempt from punishment those who perform any of the acts described in Articles 404 th Fighter Groups and 405° if its relations with the favored person are so narrow as to excuse their behavior.

Article 407.-failure to report

Whoever fails to report to the authorities the news you have about the commission of a crime, when he is required to do so by their profession or employment, shall be punished with imprisonment not exceeding two years.

If the offense has not denounced noted in the sentence of more than five years imprisonment law, the penalty shall be not less than two nor more than four years.

Article 408.-Fugue in traffic accident

Which, after a car accident or similar where it has been part and which have resulted in injury or death, leaves the place to escape identification or to circumvent the necessary checks or away for understandable reasons, but omits to immediately report to the authority, it shall be punished with imprisonment not exceeding three years and ninety to one hundred and twenty days' fine.

Article 409.-Falsehood on trial

The witness, expert, translator or interpreter who, in court proceedings, makes false statements about the facts of the cause or form an opinion, translation or false interpretation shall be punished with imprisonment of not less than two nor more than four years .

If the witness, in his statement, attributed to a person having committed a crime, knowing that he is innocent, the penalty shall be not less than two nor more than six years.

The court may mitigate the punishment to below the legal minimum limits or exempt from criminal prosecution, if the agent spontaneously rectifies his false statement before causing damage.

Article 410. Illegal-pending process Avocamiento

The authority knowingly avoque processes pending before the court, shall be punished with imprisonment not exceeding two years and disqualification under Article 36, paragraphs 1, 2 and 4.

Article 411.-false statement in administrative procedure

Which, in administrative proceedings, makes a false statement regarding facts or circumstances that must prove, in violation of the presumption of truth established by law, it shall be punished with imprisonment of not less than one nor more than four years.

Article 412.-Issuance of test or trial false report

Which legally required court case in which it is not party issues a test or false report, denies or silent truth, in whole or in part, shall be punished with imprisonment not exceeding three years.

Article 413.-evacion by force or threat

Which, being legally deprived of his liberty, it escapes through violence or threat shall be punished with imprisonment not exceeding three years.

Article 414. Favoring fled

Which, by violence, threats or cunning to evade makes a prisoner, detained or internal or assisting it in any way to escape, shall be punished by imprisonment of not less than two nor more than four years.

If the agent does evade, or assists this, it is official or public servant, the penalty is imprisonment of not less than three nor more than eight years.

If the agent acted because, the penalty shall not exceed one year.

Article 415. Mutiny of detention or internal

The detainee or inmate riot attacking an official establishment or any person in charge of his custody, or forced by violence or threat to an official establishment or any person in charge of their custody to practice or refrain from an act, with in order to escape, it shall be punished by imprisonment of not less than two nor more than four years.

Article 416.-fraud trial

Who, by any fraudulent means, mislead an official or public servant to obtain resolution contrary to law it shall be punished by imprisonment of not less than two nor more than four years.

Article 417.-arbitrary exercise of law-vigilante justice

Which, in order to exercise a right, rather than resorting to authority, justice is done arbitrarily by himself shall be punished with community service for twenty to forty days.

SECTION II

malfeasance

Article 418.-Failure or illegal opinion

The judge or the prosecutor who knowingly gives decision or form an opinion, contrary to the express language and clear law or appointment nonexistent false evidence or facts, or is based on alleged or repealed laws shall be punished with imprisonment not less than three nor more than five years.

Article 419. Illegal Detention-

The judge who, maliciously or without legal grounds, ordered the arrest of a person or does not grant the release of a detainee or prisoner, who had to decree shall be punished by imprisonment of not less than two nor more than four years.

Article 420. Prohibition discloses a process which sponsored

The judge or prosecutor who knows a process that previously sponsored as a lawyer, shall be punished with imprisonment not exceeding two years.

Article 421. Abuse sponsorship of attorney or legal representative

The attorney or legal representative who, having sponsored or represented a party in a judicial or administrative process assumes the defense or representation of the opposing party in the same process, it shall be punished with imprisonment not exceeding two years.

SECTION III

REFUSAL AND JUSTICE DELAYED

Article 422. Refusal to administer justice

The judge who refuses to administer justice or judge evades under the pretext of defect or deficiency in the law shall be punished with imprisonment of not less than one nor more than four years.

Article 423. Refusal to-fulfillment of obligations notary and court

The notary or clerk of the court or prosecution or other court officer who refuses to fulfill the obligations legally applicable, shall be punished with imprisonment not exceeding one year, or thirty to sixty days' fine.

Article 424.- Bypassing exercise of criminal action

The Prosecutor omitted criminal action shall be punished with imprisonment of not less than one nor more than four years.

CHAPTER IV

COMMON PROVISIONS

Article 425. official or public servant

officials or public servants are considered:

1. Those who are included in the administrative career.
2. Those who hold political office or trust, even if emanating from popular election.
3. Any person who, regardless of the labor regime that is, maintaining employment or contractual relationship of any kind with organizations or bodies of the State and under which they perform functions in these entities or bodies. (*)
4. Managers and custodians of seized or deposited by competent authorities, even if they belong to individuals.
5. Members of the Armed Forces and National Police.
6. Any other persons mentioned by the Constitution and the law.

(*) Numeral amended by Article 1 of Law No. 26713, published on 12/27/96.

Article 426.-Disqualification

Offenses under Chapters II and III of this Title shall be also punishable by disqualification of one to three years in accordance with Article 36, paragraphs 1 and 2.

TITLE XIX

CRIMES AGAINST PUBLIC FAITH

CHAPTER I

GENERAL falsifying records

Article 427.-Falsification of documents

Which makes, in whole or in part, a false document or adulterous real one that can give rise to rights or obligations or serve to prove a fact in order to use the document, shall be punished, if their use can be a prejudice, by imprisonment for not less than two nor more than ten years and thirty to ninety days' fine if it is a public record,

public record, authentic instrument or any other transmissible by endorsement or bearer form and punishable deprivation of freedom not less than two nor more than four years, and one hundred eighty-three hundred and sixty days fine, if it is a private document.

Which makes use of a false or forged document, as if it were legitimate, provided that their use may be some harm, it shall be punished, where appropriate, with the same penalties.

Article 428.-ideological Falsehood

Which inserts or makes inserting, in a public, concerning facts to be established with the document, in order to use it as if the statement were as truth, shall be punished, if their use can be any prejudice misrepresentation, by imprisonment for not less than three nor more than six years and three hundred and sixty to one hundred and eighty days' fine.

Which makes use of the document as if the content was accurate, provided that its use may be some harm, it shall be punished, where appropriate, with the same penalties.

Article 429.-Failure to record statements in documents

Which omits a public or private document statements should be recorded or issued duplicates with the same omission while exercising a function and in order to give rise to an act or obligation it shall be punished with imprisonment of not less than one nor more than six years.

Article 430. Suppression, destruction or concealment of documents

Which suppresses, conceals or destroys a document, in whole or in part so that it can result in harm to another shall be punished with the penalty prescribed in Articles 427th and 428th, as applicable.

Article 431. Issuance of false medical certificate

The doctor who maliciously issues a false certificate regarding the existence or non-existence, past or present physical or mental illness, shall be punished with imprisonment not exceeding three years and disqualification from one to two years under Article 36, paragraphs 1 and 2.

When you have given the false certification in order to be admitted or are admitted to a person in a mental hospital, the penalty is imprisonment of not less than three nor more than six years and disqualification of two to four years in accordance with Article 36, paragraphs 1 and 2.

Which make malicious use of certification, as the case concerned, shall be punished with imprisonment same.

Article 432.-Disqualification

When some of the offenses covered by this Chapter is committed by an official or public or notary, with abuse of his office, he also imposed the penalty of disqualification of one to three years in accordance with Article 36, paragraphs 1 and 2 .

Article 433.-Equating a public document

For the purposes of this Chapter equate public document, and closed the holograph wills, securities and credit securities transferable by endorsement or bearer.

CHAPTER II

FORGERY OF SEALS, RINGS AND OFFICIAL MARKS

Article 434. Manufacture or falsification of official seals or stamps

Which it made fraudulently or falsifying official seals or stamps of value, especially postage stamps, in order to employ or make employ others or giving such seals or official stamps and used the appearance of validity to use them again, it shall be punished with no greater deprivation of not less than two of five and ninety to one hundred and eighty days' fine.

When the agent used as authentic or still valid official seals or stamps of value that are false, counterfeit or already used, the penalty is imprisonment of not less than one nor more than three years and sixty to ninety days' fine.

Article 435. Manufacture fraudulent or counterfeit trademark or official passwords

Which it made fraudulently or falsifying official marks or passwords intended to record the result of an examination of the authority or the granting of a permit or identity of an object or that knowing its illicit origin makes use of such marks It shall be punished with imprisonment not exceeding three years.

Article 436.-Disqualification

When the agent of any of the offenses covered by this Chapter is official or public servant will be also punished with disqualification of one to three years in accordance with Article 36 paragraphs 1 and 2.

Article 437.-Marks and foreign stamps as equivalent to national

The provisions of this chapter apply to the stamps, official marks and stamps from abroad.

CHAPTER III

COMMON PROVISIONS

438. Article generic-Falsehood

Which in any other way that is not specified in the preceding chapters, makes false pretending, assuming, altering the truth intentionally and harming others, by words, deeds or usurping name, quality or employment does not apply, assuming alive a deceased person or has not existed or vice versa, shall be punished by imprisonment of not less than two nor more than four years.

Article 439. Manufacture or possession of instruments for counterfeiting

Whoever knowingly makes or introduced into the territory of the Republic or preserved in its machines, dies, marks or any other kind of tools or instruments aimed at falsifying stamps, stamps, official marks or valued species power, It shall be punished by imprisonment of not less than three nor more than six years.

BOOK THREE

FAULTS

TITLE I

KEY PROVISIONS

Article 440. Common provisions

They are applicable to offenses provisions in the First Book, with the following modifications:

1. It is not punishable attempt. (*)

(*) Subsection amended by Article 8 of Law No. 27939, published on 12-02-2003, which reads as follows:

"1. It is not punishable attempt, except in the case of offenses provided for in the first and second paragraphs of Articles 441 and 444."

2. Just answer the author.

3. The penalties that may be imposed are restrictive of rights and fines.

4. The daily fines shall not be less than ten nor more than one hundred and eighty.

5. The criminal action shall lapse six months. The penalty prescribed a year. (*)

(*) Subsection amended by Article 8 of Law No. 27939, published on 12-02-2003, which reads as follows:

"5. The prosecution and punishment prescribed a year."

6. Research is in charge of police and prosecution authority corresponds to the Justices, Clerks or Clerks. (*)

(*) Subparagraph repealed by the Fourth Final Provision of Law No. 27939, published on 12-02-2003.

TITLE II

OFFENSES AGAINST THE PERSON

Article 441.-Injury willful and culpable injury

Which, by any means, causes another willful injury requiring up to ten days of care or rest, according to prescription, it shall be punished with community service for twenty to thirty days, unless there are circumstances giving gravity to the fact in which case it will be considered a crime.

aggravating circumstance is considered, when the victim is under fourteen and the perpetrator is the parent, guardian, caregiver or responsible for that, and at the discretion of the judge, they are the subjects referred to in Article 2 of Law No. to ° 26260. (*) (**)

(*) Paragraph added by Article 2 of Law No. 26788, published on 05/16/97.

(**) Paragraphs 1 and 2 modified by Article 8 of Law No. 27939, published on 12.02.2003, which reads as follows:

"Whoever, in any way, cause another willful injury requiring up to ten days of care or rest, according to prescription, it shall be punished with community service forty to sixty days, unless there are circumstances or means giving the fact gravity, in which case it will be considered a crime.

aggravating circumstance is considered and the provision of community services will increase to eighty days when the victim is under fourteen years and the perpetrator is the parent, guardian, caregiver or responsible for that, and at the discretion of the judge, they are the subjects Article 2 of Law No. 26260. refers "

When the injury is caused by guilt and brings up to fifteen days of disability, the penalty shall be sixty to one hundred and twenty days' fine.

Article 442.-Abuse

Whoever ill-treats another person without causing injury, it shall be punished with community service of ten to twenty days.

When the agent is spouse or partner the penalty is community service for twenty to thirty days or thirty to sixty days' fine.

Article 443.-aggression without damage

Which throws another objects of any kind, without causing damage, it shall be punished with community service of ten to fifteen days.

TITLE III

OFFENSES AGAINST THE HERITAGE

Article 444. petty theft and damage

Which it performs any of the conduct described in Articles 185th and 205th, when the action falls on a good whose value does not exceed four vital minimum wages shall be punished with community service for twenty to forty days or sixty to ninety days -penalty fee.

If the agent performs the conduct referred to in the first paragraph of Article 189th-A, when the stock falls on cattle whose value does not exceed one third of the tax unit, it shall be punished with community service not less than twenty nor more than forty days or sixty to ninety days' fine. (*) (**)

(*) Paragraph added by Article 2 of Law No. 26326, published on 04.06.94, Law came into force following its publication 60 days, according to Article 3 of the standard.

(**) Article amended by Article 8 of Law No. 27939, published on 12-02-2003, which reads as follows:

"Article 444. Simple Theft and Damage

Which performs any of the conduct described in Articles 185 and 205, when the action falls on a good whose value does not exceed four vital minimum wages shall be punished with community service from forty to eighty days or sixty to one hundred and twenty daily fines.

If the agent performs the conduct referred to in the first paragraph of Article 189-A, when the stock falls on cattle whose value does not exceed one third of the tax unit, it shall be punished with community service not less than thirty nor more than forty days or sixty to ninety days' fine. "

Article 445. Larceny-famished

It shall be punished with community service of ten to twenty days:

1. Anyone who seizes, for immediate consumption of food or beverages of low value or small amount.
2. Whoever is serving food or drinks in a restaurant, with the intention of not paying or knowing he could not.

Article 446. Short-Encroachment

Which penetrates, for short term, on fenced land without permission of the owner he shall be punished with twenty to sixty days-fine.

Article 447.-entry of animals into others' property

Responsible for custody of livestock or pet that enters or leaves it outside into property without causing harm, no right or permission, shall be punished by up to twenty days' fine.

Article 448.- organization or participation in forbidden games

Which organizes or participates in games prohibited by law, it shall be sentenced to sixty days' fine.

TITLE IV

OFFENSES AGAINST GOOD HABITS

Article 449.-Disturbing the peace

Which, in a public place, disturbs the tranquility of people or endangers the safety or self-employment, drunk or drug abuse, it shall be punished by up to sixty days' fine.

Article 450. Other faults

It shall be punished with community service of ten to thirty days:

1. Whoever, in a public place, makes a third immoral or dishonest propositions.
2. that in public places or places open to the public, providing alcoholic beverages or snuff to minors.
3. that in public places or places open to the public, flatters, sell or consume alcoholic beverages in prohibited hours or days, unless a different legal provision.
4. Whoever commits an act of cruelty to an animal, mistreats, or subjected to manifestly excessive work. (*)

(*) Subparagraph repealed by the First Final and Transitory Provision of Law No. 27265, published on 22/05/2000.

5. destroys plants adorn gardens, malls, parks and avenues.

"Article 450-A.- Anyone who commits acts of cruelty against an animal, subjected to manifestly excessive or abusive work shall be punished up to sixty days' fine.

If the animal died as a result of abuse suffered, the penalty shall be one hundred twenty to three hundred sixty days' fine.

The judge may in such cases the offender prohibit the keeping of animals in any form. "

(*) Article inserted by the Second Final and Transitory Provision of Law No. 27265 published on 05.22.2002.

TITLE V

OFFENSES AGAINST PUBLIC SAFETY

Article 451.- Offenses against public safety

It shall be punished with community service for fifteen to thirty days or until one hundred eighty days' fine:

1. Anyone who neglects surveillance that corresponds to a mental insane, whether the omission constitutes a danger to the patient or others; or fails to give notice to the authority when subtract from custody.
2. who has left debris or other material objects or having done wells or excavations, in a place of public transit, omits the necessary measures to prevent passersby about the existence of a potential hazard precautions.
3. That, notwithstanding the requirement of authority, neglect to demolition or repair of a building threatening ruin and constitutes safety hazard.
4. that arbitrarily disables the system a water faucet fire.

5. The vehicle driving at excessive speed or animal, so that amount danger to public safety or trust your driving to a minor or inexperienced person.

6. Whoever throws garbage into the street or a property owned by others or burning so the smoke cause discomfort to people.

TITLE VI

OFFENSES AGAINST PUBLIC TRANQUILITY

Article 452.-Offenses against public tranquility

It shall be punished with community service for twenty to forty days or sixty to ninety days' fine:

1. Anyone who disturbs the order slightly acts, shows, solemnities or public meetings.
2. Whoever disturbs public peace slightly using means which may cause alarm.
3. Whoever, words, lack respect and consideration due to an authority without seriously offending or who disobeys orders issued by him, provided that no more important magazine.
4. The authority denies the assistance called for help a third in danger, provided the omitente not run personal risk.
5. hiding your name, marital status or domicile to the authority or public official to question him because of his position.
6. disturbing neighbors with discussions, noise or similar disturbances.
7. violates health regulations issued by the authority for the conduct of bodies and burials.

FINAL AND TRANSITIONAL PROVISIONS

One.- Force of Law No. 25103 and Supreme Decree No. 296-90-EF

It remains valid Act No. 25103, as it is not contrary to this Code and Supreme Decree No. 296-90 the-EF, of November 4, 1990.

Two.- Illicit Drug Trafficking and Terrorism-Term Benefits

Remain in force laws restricting procedural and criminal enforcement benefits, for agents offenses of illicit drug trafficking and terrorism, as they do not contradict this Code.

Council Three.- local patronage-Delivery of goods under inventory

The Local Council Board, governed by Articles 402nd to 407° of the Penal Code of 1924, deliver, low inventory, goods delivered to the respective Superior Court. Money funds are delivered to the National Penitentiary Institute for administration.

CUARTA.-Conversion-Rules sentences

The sentences imposed by final judgments during the term of the previous Penal Code, are subject to the following rules:

1. The penalty sentences internment with minimum twenty five years, become imprisonment of twenty five years.

2. The sentences to imprisonment or prison become custodial sentences with the same limits in the respective sentences.
3. The sentences to terms of relatively indeterminate and absolutely indeterminate banishment, become imprisonment whose duration is limited to the minimum end of sentences.
4. The penalties of disqualification sentences of indeterminate duration or life, become disqualification of five years; and disabling fixed time exceeding five years are reduced to that limit.
5. The sentences to a fine, fixed under special laws, retain their effects.
6. convicted as recidivists or habitual, in accordance with Articles 111th to 116th of the Penal Code of 1924, will be released to meet half of the prison sentence or prison; or half the minimum sentence of banishment.

FIFTH.-

Terrorist offenses are governed by special laws. (*)

(*) Final and Transitory Provision incorporated by Article 7 of Law No. 26926, published on 21/02/98.

TABLE OF AMENDMENTS TO THE CRIMINAL CODE

ARTICLE STATE DATE OF PUBLICATION ARTICLE

AFFECTED

13 INC.1) amended by the single article of Law No. 26682 11/11/96

20 num2) as amended by Article 1 of Decree Law No. 25564 20/06/92

Num2 20) Replaced by Article 3 of Law No. 26447 21/04/95

20, num. 3, paragraph b) modified by the article 1 of Law No. 27936 02.12.2003

22 amended by the single article of Law No. 27024 12/25/98

29 amended by Article 21 of Decree Law No. 25,475 06/05/92

29 as amended by Article 1 of Law No. 26360 29/09/94

29 amended by the Fifth Final Provision of Legislative Decree No. 895 23/05/98

32 amended by the single article of Law No. 27186 10/20/99

46-A inserted by section 2 of Law No. 26758 03/14/97

49 amended by the single article of Law No. 26683 11/11/96

51, as amended by the single article of Law No. 26832 3/7/97

52 MODIFIED, by Article 1 of Law No. 26890 11/12/97

52 amended by the single article of Law No. 27186 10/20/99

63 as amended by Article 1 of Law No. 27868 20-11-2002

69 GRINDING by Errata 05/09/91

75 GRINDING by Errata 09/05/91

78 as amended by Article 1 of Law No. 26993 24/11/98

78 inc. 3 as amended by Article 1 of Law No. 26770 15/04/97

80, last paragraph INCORPORATED by the single article of Law No. 26314 05/28/94

80 as amended by Article 2 of Law No. 26360 29/09/94

108 as amended by Article 1 of Legislative Decree No. 896 24/05/98

108 as amended by Art. 1 of Law No. 27472 6/7/2001

111 as amended by Art. 1 of Law No. 27753 6/9/2002

121-A incorporated by Article 1 of Law No. 26788 16/05/97

122-A incorporated by Article 1 of Law No. 26788 05/16/97

124 amended by the single article of Law No. 27054 23/01/99

124 as amended by Article 1 of Law No. 27753 9/6/2002

124-A inserted by section 1 of Law No. 27716 05.08.2002

125 as amended by Article 2 of Law No. 26926 21/02/98

128 as amended by Article 2 of Law No. 26926 02/21/98

128 modified by the 2nd. Disp. End of Law No. 28190 18-03-2004

129 REPLACED po Article 3 of Law No. 26926 02/21/98

Art. 135 inc. 2 as amended by Art. 1 of Law No. 27480 13/6/2001

Chapter V of the

Title I of

Book II Repealed by Article 6 of Law No. 26926 21/02/98

148-A INCORPORATED by the First Supplemental and Final Disposition

Legislative Decree No. 899 of 05/28/98

152, final part added by Article 1 of Law No. 26222 21/08/93

152 as amended by Article 1 of Law No. 26630 21/06/96

152 modified by the article 1 of Legislative Decree No. 896 24/05/98

152 as amended by Art. 1 of Law No. 27472 7/6/2001

152, inc. 10 INCORPORATED for the 3rd. Disp. Trans. and Final of Law No. 28189 18-03-2004

153 as amended by Article 1 of Law No. 26309 05/20/94

153-A added by Article 2 of Law No. 26309 20/05/94

168 amended by the Third and Final Repeal

Legislative Decree No. 857 10/04/96

168 amended by the Third and Final Repeal of 03/01/97

DS No. 001-97-TR

170 as amended by Article 1 of Law No. 26293 14/02/94

171 as amended by Article 1 of Law No. 26293 02/14/94

172 as amended by Article 1 of Law No. 26293 14/02/94

173 as amended by Article 1 of Law No. 26293 14/02/94

173 as amended by Article 1 of Legislative Decree No. 896 24/05/98

173 as amended by Art. 1 of Law No. 27472 7/6/2001

173 RESTORED text entered by the Legislative Decree. # 896 13-07-2001

by Art. 1 of Law No. 27507

173-A inserted by section 2 of Law No. 26293 02/14/94

173-A as amended by Article 1 of Legislative Decree No. 896 24/05/98

173-A as amended by Art. 1 of Law No. 27472 6/7/2001

173-A RESTORED text entered by the Legislative Decree. # 896 13-07-2001

by Art. 1 of Law No. 27507

174 as amended by Article 1 of Law No. 26293 14/02/94

175 as amended by Article 1 of Law No. 26357 28/09/94

176 as amended by Article 1 of Law No. 26293 14/02/94

176-A inserted by section 2 of Law No. 26293 14/02/94

176-A as amended by Article 1 of Law No. 27459 26/5/2001

177 as amended by Article 1 of Law No. 26293 14/02/94

178 as amended by Article 2 of Law No. 26770 04/15/97

183 as amended by Article 1 of Law No. 27459 26/5/2001

183-A inserted by section 2 of Law No. 27459 26/5/2001

186 as amended by Article 1 of Law No. 26319 6/1/94

188 as amended by Article 1 of Law No. 26319 6/1/94

188 as amended by Article 1 of Legislative Decree No. 896 24/05/98

188 as amended by Art. 1 of Law No. 27472 6/7/2001

189 as amended by Article 1 of Law No. 26319 1/6/94

189 as amended by Article 1 of Law No. 26630 21/06/96

189 as amended by Article 1 of Legislative Decree No. 896 24/05/98

189 as amended by Art. 1 of Law No. 27472 7/6/2001

Chapter II - A

Title V

Book Two incorporated by Article 1 of Law No. 26326 6/4/94

189-B RECTIFIED Errata 10/06/94

195 replaced by the single article of Law No. 25404 26/02/92

195 Repealed by Article 2 of Decree Law No. 25428 04/11/92

199 RECTIFIED Errata 04/10/91

200 as amended by Article 1 of Legislative Decree No. 896 05/24/98

200 as amended by Art. 1 of Law No. 27472 7/6/2001

203 GRINDING by Errata 04/10/91

204 RECTIFIED Errata 04/10/91

Title V of Book amended by the single article of Law No. 27309 17/7/2000

Second

209 amended by the Eleventh Final Provision of Decree

Legislative No. 861 22/10/96

MODIFIED 209 by the Eighth Arrangement 06/24/99

Final Act No. 27146

209 amended by the First Transitional Provision 06/29/2000

and Final Act No. 27295

210 amended by the Eleventh Final Provision of Decree

Legislative No. 861 22/10/96

MODIFIED 210 by the Eighth Arrangement 24/06/99

Final Act No. 27146

211 MODIFIED by the Eleventh Final Provision of Decree

Legislative No. 861 22/10/96

211 Provision amended by the Eighth 24/06/99

Final Act No. 27146

211 amended by the First Temporary Provision 29/06/2000

and Final Act No. 27295

212 amended by the Eleventh Final Provision of Decree

Legislative No. 861 22/10/96

MODIFIED 212 by the Eighth Arrangement 06/24/99

Final Act No. 27146

213-A added by the Twelfth Final Provision of Decree

Legislative No. 861 22/10/96

213 Provision amended by the Eighth 06/24/99

Final Act No. 27146

215 RECTIFIED Errata 10/04/91

09/05/91

MODIFIED 215 by the Fourth Arrangement 19.06.2000

No. 27287 amending (*) law went into

Effective 120 days after its publication

216 amended by the Third Final Provision of Legislative Decree No. 822 04/24/96

216 as amended by Article 1 of Law No. 27729 24-05-2002

217 amended by the Third Final Provision of Legislative Decree No. 822 24/04/96

218 amended by the Third Final Provision of Legislative Decree No. 822 24/04/96

219 amended by the Third Final Provision of Legislative Decree No. 822 04/24/96

220 amended by the Third Final Provision of Legislative Decree No. 822 04/24/96

221 amended by the Third Final Provision of Legislative Decree No. 822 04/24/96

222 replaced by Article 2 of Law No. 27729 24-05-2002

223 GRINDING by Errata 04/10/91

223 replaced by Article 2 of Law No. 27729 24-05-2002

224 GRINDING by Errata 04/10/91

224 replaced by Article 2 of Law No. 27729 24-05-2002

225 replaced by Article 2 of Law No. 27729 24-05-2002

228 amended by the single article of Law No. 26690 11/30/96

228 amended by the single article of Law No. 27244 12/26/99

230 amended by the single article of Law No. 27244 12/26/99

231 amended by the single article of Law No. 27244 26/12/99

233 GRINDING by Errata 04/10/91

09/05/91

234 GRINDING by Errata 04/10/91

235 RECTIFIED Errata 05/09/91

237 as amended by Article 3 of Law No. 27776 9/7/2002

243-A inserted by section 10 of Decree Law No. 25836 11/11/92

245 GRINDING by Errata 05/09/91

249 MODIFIED by the single article of Law No. 27941 26-02-2003

251-A INCORPORATED by the Ninth Final Provision of Legislative Decree No. 861 10/22/96

252 as amended by Article 1 of Law No. 26714 27/12/96

253 as amended by Article 1 of Law No. 26714 27/12/96

254 as amended by Article 1 of Law No. 26714 12/27/96

254 as amended by Article 1 of Law No. 27593 13-12-2001

255 as amended by Article 1 of Law No. 26714 27/12/96

255 as amended by Article 1 of Law No. 27593 13-12-2001

256 as amended by Article 1 of Law No. 26714 12/27/96

257 as amended by Article 1 of Law No. 26714 12/27/96

257 as amended by Article 1 of Law No. 27593 13-12-2001

257-A inserted by section 2 of Law No. 27593 13-12-2001

258 as amended by Article 1 of Law No. 26714 27/12/96

261 as amended by Article 1 of Law No. 26714 27/12/96

274 amended by the single article of Law No. 27054 23/01/99

Chapter I

Chapter II

Title XI repealed by the Third Final Provision of Law No. 26461 6/8/95

Section I

Chapter II

Title XI repealed by the Third Final Provision of Law No. 26461 6/8/95

268 replaced by Article 2 of Decree Law No. 25859 24/11/92

268 Repealed by the Seventh Final and Transitory Provision of Decree

Legislative No. 813 04/20/96

269 inc. 7) as amended by Article 1 of Decree Law No. 25495 05/14/92

269 inc. 7) Replaced by Article 3 of Decree Law No. 25859 24/11/92

269 inc. 8) incorporated by Article 3 of Decree Law No. 25859 24/11/92

269 inc. 9) incorporated by Article 3 of Decree Law No. 25859 11/24/92

269 Repealed by the Seventh Final and Transitory Provision of Decree

Legislative No. 813 04/20/96

270 Repealed by Article 2 of Decree Law No. 25495 14/05/92

274 amended by the single article of Law No. 27054 01/23/99

274 as amended by Article 1 of Law No. 27753 6/9/2002

272 GRINDING by Errata 19/04/91

272 replaced by the Eighth Final and Transitory Provision of Law No. 27335 31-07-2000

279 amended by the Supplementary Provision of Decree

Legislative No. 898 05/27/98

279-A incorporated by Article 5 of Law 26672 20/10/96

279-B incorporated by the Second Supplementary Provision of

Legislative Decree No. 898 05/27/98

283 2do. paragraph inserted by section 1 of Law No. 27686 19/3/2002

288 as amended by Article 3 of Law No. 27729 24-05-2002

290 modified by the article 1 of Law No. 27754 06.14.2002

296 GRINDING by Errata 04/13/91

288-A inserted by Art. 2 of Law No. 27645 23/1/2002

296 as amended by Art. 1 of Law No. 28002 17-06-2003

296-A inserted by section 1 of Legislative Decree No. 736 11/12/91

296-A REPEALED by Article 1 of Law 25399 10/02/92

296-A incorporated by Article 1 of Decree Law No. 25428 04/11/92

296-A REPEALED by Article 8 of Law No. 27765 27-06-2002

296-A inserted by Art. 2 of Law No. 28002 17-06-2003

296-B incorporated by Article 1 of Legislative Decree 736 11/12/91

296-B repealed by Article 1 of Law No. 25399 10/02/92

296-B incorporated by Article 1 of Decree Law No. 25428 11/04/92

296-B as amended by Article 1 of Law No. 26223 08/21/93

296-B ADDED last paragraph on the sole Art. Of Law No. 27225 17/12/99

296-B deleted by Article 8 of Law No. 27765 27.06.2002

296-C inserted by section 2 of Law No. 26223 21/08/93

296-C Revoked by Art. 3 of Law No. 28002 06.17.2003

296-D incorporated by Article 1 of Law No. 26332 24/06/94

296-D Repealed by Art. 3 of Law No. 28002 17-06-2003

297 as amended by Article 3 of Law No. 26223 21/08/93

297 inc. 7) entered by the single article of Law No. 26619 9/6/96

297 as amended by Art. 1 of Law No. 28002 17-06-2003

298 final portion added by Article 1 of Law No. 26320 2/6/94

Chapter IV - Offenses incorporated by Unique Art Law No. 27202 11/15/99.

Against Order

Immigration - Traffic

Illegal People

298 as amended by Art. Unique Law No. 27817 13/8/2002

298 as amended by Art. 1 of Law No. 28002 17-06-2003

299 as amended by Art. 1 of Law No. 28002 17-06-2003

305 GRINDING by Errata 09/05/91

307-A INCORPORATED by the single article of Law No. 26828 30-'06-97

309 MODIFIED by the single article of Law No. 28154 7/1/2004

312 RECTIFIED Errata 30-'06-97

315 as amended by Article 2 of Law No. 27686 19/3/2002

316 Last Upd. Paragraph added by Article One of the Legislative Decree. No. 924 20/02/2003

318, final paragraph INCORPORATED by the 4th. Disp. Trans. and Final of Law No. 28189 18-03-2004

318-A INCORPORATED for 5th. Disp. Trans. and Final of Law No. 28189 18-03-2004

Chapter II

Title XIV of

Book II Repealed by Article 22 of Decree Law No. 25,475 05/06/92

Title XIV-A-

offenses

Humanity incorporated by Article 1 of Law No. 26926 21/02/98

Title XIV-A incorporated by Article 1 of Law No. 27270 29/5/2000

chapter IV

Discrimination

Title XIV-A incorporated by Article 1 of Law No. 27636 16/1/2002

chapter V

Handling

Genetics

331-A INCORPORATED by Article 1 of Legislative Decree No. 762 11/15/91

331-A REPEALED by Article 1 of Law No. 25399 10/02/92

361 as amended by Article 1 of Decree Law No. 25444 23/04/92

363 as amended by Article 1 of Law No. 27754 14-06-2002

366 MODIFIED by the single article of Law No. 27937 12-02-2003

367 MODIFIED by the single article of Law No. 27937 12-02-2003

374 Repealed by the single article of Law No. 27975 29/5/2003

376 amended by the Seventh Final Disposition of Law No. 28165 10/1/2004

384 as amended by Article 2 of Law No. 26713 12/27/96

386 amended by the Third Amending Provision of Law No. 26572 1/5/96

386 as amended by Article 1 of Law No. 26643 06/26/96

387 amended by the single article of Law No. 26198 13/06/93

389 amended by the single article of Law No. 26198 13/06/93

392 amended by the single article of Law No. 26198 06/13/93

392 amended by the Seventh Final Disposition of Law No. 28165 10/1/2004

394-A inserted by Art. 1 of Law No. 27722 14/5/2002

395 amended by the Third Amending Provision of Law No. 26572 5/1/96

395 as amended by Article 1 of Law No. 26643 26/06/96

397 as amended by Law Article only 27074 03/26/99

398 amended by the Third Amending Provision of Law No. 26572 5/1/96

398 as amended by Article 1 of Law No. 26643 26/06/96

398-A inserted by section 2 of Decree Law No. 25489 05/10/92

398-A amended by the Third Amending Provision of Law No. 26572 5/1/96

398-A as amended by Article 1 of Law No. 26643 26/06/96

398-B RECTIFIED Errata 12/05/92

398-B incorporated by Article 2 of Decree Law No. 25489 05/10/92

401-A inserted by section 2 of Decree Law No. 25489 10/05/92

401-B incorporated by Article 2 of Decree Law No. 25489 05/10/92

401-B RECTIFIED Errata 12/05/92

402 last paragraph added by the sole article of Law No. 27225 12/17/99

404 as amended by Article 1 of Legislative Decree No. 747 11/12/91

404 as amended by Article 1 of Decree Law No. 25429 11/04/92

Num.3 425) as amended by Article 1 of Law No. 26713 27/12/96

440 inc. 1 and 5 amended by Article 8 of Law No. 27939 12-02-2003

440 inc. 6 Revoked by the Fourth Final Provision of Law No. 27939 12-02-2003

441 para.2) added by Article 2 of Law No. 26788 05/16/97

441, para. 1 and 2 as amended by Article 8 of Law No. 27939 12-02-2003

444 final portion added by Article 2 of Law No. 26326 6/4/94

444 as amended by Article 8 of Law No. 27939 12-02-2003

Art. 450 inc. 4) repealed by the First Final Provision of Law No. 27265 22/5/2000

Art. 450-A Second Final Provision incorporated by Act No. 27265 of 05/22/2000

Quinta Dispo-

Final sition and

Transiently incorporated by Article 7 of Law No. 26926 02/21/98

Chapter I of Title changed the name by the Eighth 24/06/99

Book VI Second Final Provision of Law No. 27146