

THE LIBYAN PENAL CODE¹

Unofficial Translation by
Judge C. A. Good, C.B.E.
Former President of the Court of Appeals
Of Cyrenaica

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ARTICLE 417. Living on Earnings of Prostitution.

Whoever maintains himself partly or wholly upon the earnings of a woman by prostitution shall be punished by a penalty of imprisonment of between one and four years and of a fine not exceeding one hundred pounds.

ARTICLE 418. Traffic in Women to Foreign Territory.

Whoever compels a woman by force or threats to emigrate to a place abroad with the knowledge that she will there practice prostitution shall be punished by a penalty of imprisonment of from one to five years and of a fine of between one hundred and five hundred pounds.

The same penalty shall apply to anyone who induces a juvenile or mentally defective adult woman by any means whatsoever to emigrate to a place abroad with the knowledge that they will there practice prostitution.

If the act was accompanied by force or threats then shall the penalty be increased by an amount of one half.

The penalty shall be doubled in the circumstances provided for in the last paragraph of Article 415 of this Code as also if the act is committed in respect of two or more persons, even if their destinations differ.

ARTICLE 419. Facilitation of Traffic in Women.

Whoever facilitates in any manner whatsoever the commission of one of the offenses provided for by the preceding Article with knowledge that the same is for the purpose of the practice of prostitution shall be punished by a penalty of imprisonment of between one and five years and of a fine of between one hundred and five hundred pounds, unless he is an accomplice in which case the provisions of the final paragraph of the preceding Article shall apply.

ARTICLE 420. Traffic in Women by a Libyan.

A Libyan shall be punished for the acts provided for in the two preceding Articles although he may have committed the same while abroad.

ARTICLE 421. Indecent Acts and Articles.

Whoever commits an act of indecency in a public place or in an open place or in a place to which the public has access shall be punished by a penalty of detention for a period not exceeding one year or of a fine not exceeding fifty pounds.

The same penalty shall apply to anyone who offends against

public decency by the distribution of writings, pictures, or other articles of an indecent nature, or who publicly exposes the same or offers the same for sale. Artistic or scientific productions shall not be considered as indecent unless they are proffered for other than an instructional purpose to a person under the age of eighteen years for sale by him or if they are offered for sale to him or if he is facilitated in the obtaining thereof by any means whatsoever.

ARTICLE 422. Age of Person Against Whom Offense is Committed.

The offender shall not be excused by ignorance of the age of the person against whom any of the offenses provided for in this Title are committed if that person is under the age of fourteen years.

ARTICLE 423. Complaint of Person Against Whom the Offense is Committed.

Public cases (see Note below) in respect of offenses provided for by Articles 407, 408, 409, 411, 412 and 413 of this Code shall not be instituted except upon the complaint of the person against whom they are committed, except under the following circumstances:-

1. If the offense is committed by a parent or adoptive parent or a guardian or a public official contravening the limits of his authority or in breach of the duties of his office:-
2. If the offense is accompanied by another offense requiring the immediate institution of proceedings.

ARTICLE 424. Extinction of, or Stay of Execution of, Penalty.

If the offender marries the woman against whom the offense is committed the offense and penalty are extinguished and the penal effects thereof cease and this shall apply both to the offender and to his accomplices, provided that the law of the personal status of the offender does not permit of divorce or repudiation.

But if the law of the personal status of the offender permits of divorce or repudiation then shall the marriage of the offender have only the effect of staying the institution of Criminal proceedings or of staying the execution of the penalty for a period of three years.

The stay shall cease before the termination of three years from the date of the offense if the woman against whom the offense is committed is repudiated for no valid reason or if a decree of divorce issues in her favour.

Note to Article 423. "Public Cases", See Note to Article 7.