

The law on punishment of saboteurs on the country's economic system

The law on punishment of saboteurs on the country's economic system, approved during an open session by the Islamic Consultative Assembly on Dec 10, 1990, and confirmed by the Council of Guardians of the constitution on Jan 18, 1991, which has been received from the Islamic Consultative Assembly enclosed to the letter no. 1921 - S dated Dec 23, 1990, is hereby declared to be implemented.

President,
Akbar Hashemi Rafsanjani

Law on punishment of saboteurs on the country's economic system

Article 1 – Commission of the mentioned acts in subparagraphs hereunder shall be considered as offence, and the offender shall be subject to penal provisions of this Law.

A – Disturbing the monetary or foreign exchange system of the country through illicit transaction of foreign currencies in enormous amounts, forging national or international coins and bank notes, and importing or distributing them in an extended scale.

B – Causing disorder in distribution of public necessities through profiteering in wholesale of sustenance or other public needs, hoarding public sustenance or necessities, forward-purchasing of agricultural products and other public necessities in great deals for the purpose of monopolizing or creating shortage in their supply.

C – Disturbing the productional system of the country through extended illicit trade in technical equipments and raw materials in black market, or breaching the pertinent obligations thereof; or bribing and receiving bribe in great deals for productional affairs or for receiving production authorization so that it leads to a disorder in the productional policies of the country; and so on.

D - Any attempt to take cultural heritage or national treasures out of the country, even if they would not be actually exported, shall be considered as illegal export. All the objects intended to be taken out of the country will be considered as contraband merchandise, and confiscated in favor of the State.

E – Collecting enormous amounts in form of contract in the funds deposited by real or legal persons under the title of acting partner or as bailment for mutual benefit (Mozarebe) and the like, which results in wasting people's properties or disturbing the economical system.
F – Organized effort - under any title - to cause disorder in the country's exportation system, such as practicing fraud in depositing currency-restitution warrant or repayment of the warrant, pricing the exporting goods, and etc.

Note – In order to recognize the enormousness, greatness or the extent of the issue in each of the aforementioned subparagraphs, the competent judge - beside considering the quantity of the sustained damages, misapplied funds and the effects of other corruptions resulting thereby – may call for the opinion of the relevant authority according to the case.

Article 2 – Any person committing the actions mentioned in subparagraphs of Article 1, if intended to impact on or confront with the Islamic Republic of Iran system, or being aware of the effectiveness of the measures to confront with the system, shall be imprisoned for a term of 5 to 20 years; in case the attempt is defined within the limits of “corruption on the Earth” the penalty would be the capital punishment. In both cases, the court shall confiscate all the properties obtained illegally, as financial penalty. In addition to financial penalty and imprisonment, the court can sentence the violator to be whipped by 20 to 74 strikes in the public eye.

Note 1 – Concerning each of the 6 subparagraphs of Article 1, if the violation is not considered enormous or extended or great, the violator shall be condemned to imprisonment of 2 to 5 years, and all the properties acquired by the violation of the Law shall be confiscated as pecuniary penalty.

Note 2 – In cases where the actions mentioned in subparagraphs of Article 1 of this Law are committed by real or legal entities -whether private, governmental, cooperative or so – person(s) who has knowingly and purposely had direct involvement, complicity or a hand in the action, depending on the conformity of the offence with 1st or 2nd part of Article 2 of the Law, shall be liable to the sanction prescribed in this Law. In such cases, relevant manager(s), inspector(s) or generally person(s) in charge who become totally or partially aware of the mentioned attempts shall be obliged to take immediate effective measures in order to prevent the attempts or to inform the authorities having the power to prevent them. Those who refrain from the duties provided for by this note, or assist the realization of the offence by their silence shall be considered as accessory and convicted to the penalty prescribed hereby.

Note 3 – The penalty for attempted offence – subject of the 1st part of this article – shall be imprisonment of one to 3 years and a fine of 500'000 to 5'000'000 Rials; and the penalty for attempted offence – subject of the last part of this article – shall be imprisonment of 6 months to 2 years and a fine of 250'000 to 2'500'000 Rials; and the penalty provided for attempted offence – subject of the Note of this article – shall be imprisonment of 6 to 18 months and a fine of 200'000 to 1'000'000 Rials.

Note 4 – In addition to the prescribed penalties, the offenders and accessories subject to this Article and Notes 1 to 3 herein, shall suffer disqualification to hold public office or be permanently dismissed according to the case.

Note 5 – None of the sanctions prescribed by this Law shall be suspendable. Executions, fines, permanent dismissal and deprivation of public office may neither be mitigated nor reduced by courts.

Note 6 – Examination of the crimes mentioned in this Law shall be within the competence of courts and public prosecutor's offices of Islamic Revolution. For the crimes contained in Article one of this Law, courts and public prosecutor's offices shall be obliged to bring legal proceedings against the offenders immediately and out of sequence.

Note 7 - Upon the approval of this Act, all inconsistent laws and regulations – other than those Laws with more severe penalties than what is prescribed in this Act - shall be repealed.

The above Act which includes 2 Articles and 8 Notes has been approved by the Islamic Consultative Assembly during an open session on Monday Dec 10, 1990, and confirmed by the Council of Guardians on Dec 19, 1990.

The Speaker of the Islamic Consultative Assembly

Mehdi Karroobi