

# PENAL CODE

## CHAPTER VII A

### OF THE OFFENSES AGAINST THE CULTURAL PATRIMONY

Note: Chapter aggregated by Law No. 49, published in Official Registry 2 of January 25<sup>th</sup> 2000

**Art. 415-A.** - Whoever destroys or damages goods belonging to the Cultural Patrimony of the Nation will be punished with prison of one to three years, without prejudice of indemnities of good faith due to third persons and that the Judge, orders the reconstruction, restoration or restitution of the good, when possible, at the cost of the author of the destruction or deterioration.

Same penalty will be applied to whoever causes damages to a file, registry, museum, library, teaching center, scientific facility, analogue institution, archeological beds or any good belonging to the Cultural Patrimony, without prejudice that the Judge orders the adoption of measures aimed to have the good damaged restored, as far a possible, at the cost of the author of the damage.

On the vent of culpable infringement, penalty will be of three months up to one year.

Damage will be punishable when not deriving from the normal use to be given to the good, according to its nature and characteristics.

Note: Article aggregated by Law No. 49, published in Official Registry 2 of January 25<sup>th</sup> 2000

**Art. 415-B.** – When the act would not constitute an offense subjected to more severe penalty, the same penalty previewed in previous Article shall be applied to the officer or pubic employee that, acting by himself or as member of a collegiate body, and against the Law, authorizes or allows modifications, alterations or overthrown, causing destruction or damage to the goods belonging to the Cultural Patrimony of the Nation; penalty will also be applied to the officer or employee whose report or opinion had led to the same result.

An authorization given for the intervention in a patrimonial good, seeking to assure its conservation, does not constitute a violation if measures are adopted to assure that international technical rules are followed during the execution of the work.

Note: Article aggregated by Law No. 49, published in Official Registry 2 of January 25<sup>th</sup> 2000

**Art. 415- C.** - Same penalty will be applied to whom, violating the laws and other legal dispositions on the matter, unlawfully traffics, trades or takes out of the country archeological pieces or objects, goods of historic interest or belonging to the Cultural Patrimony of the Nation.

Note: Article aggregated by Law No. 49, published in Official Registry 2 of January 25<sup>th</sup> 2000