

- (b) CODE OF CRIMINAL PROCEDURE, 4 DECEMBER 1896. TRANSLATION BASED ON THE GERMAN TRANSLATION IN "STRAFPROZESSORDNUNG FÜR DAS KÖNIGREICH UNGARN", SUPPLEMENT TO VOL. 19 OF THE "ZEITSCHRIFT FÜR DIE GESAMTE STRAFRECHTSWISSENSCHAFT" (1899), P. 6.

§ 25. In regard to a punishable act committed abroad, the Hungarian court competent to try the case is the court in the jurisdiction of which the accused resides or is domiciled.

In the absence of a place of residence or domicile, the competent court is the court in the jurisdiction of which the accused was taken into custody by Hungarian authorities.

If the punishable act was committed on a Hungarian ship in foreign waters or on the high seas, the competent court is the Hungarian court in the jurisdiction of which the vessel's port of departure (home port) is situated, or the court in the jurisdiction of which the vessel's first Hungarian port of call is situated, or the Hungarian court in the jurisdiction of which the accused was taken into custody. Competence is vested in whichever of these courts acts first.

In regard to a punishable act committed abroad by a Hungarian citizen enjoying extra-territoriality or personal immunity, the competent Hungarian court is the court in the jurisdiction of which the accused last resided or, if such place of residence cannot be ascertained, the Budapest court.

28. Iceland

- (a) GENERAL PENAL CODE, 25 JUNE 1869. "LOVSAMLING FOR ISLAND", VOL. 20, 1868-1870 (1887), PP. 173-175, 253-255. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

Article 2. The Code shall apply to all offences committed in Iceland, irrespective of the place where the offender is domiciled.

Article 3. Offences committed on board a vessel registered in Iceland shall also be punishable under this Code, unless the vessel is in waters subject to the criminal jurisdiction of another country.

Article 4. If for the purpose of circumventing a law in force in Iceland any subject of the King domiciled there commits abroad an offence punishable under the said law, he shall be subject to the same penalty as if he had committed the offence in Iceland.

Article 5. It shall also be an offence against the Penal Code of Iceland if, while abroad, any subject of the King domiciled in Iceland commits in the form of treason or *lèse-majesté* an offence against the Danish State, or falsifies or counterfeits Danish money, or commits an offence against a Danish official acting in an official capacity abroad, or otherwise offends against the loyalty and obedience which as a subject he is bound to observe.

The same provision shall apply if an official in Iceland commits abroad an offence in his official capacity or if a subject of the King

domiciled in Iceland, either through bad faith in the exercise of a position of trust or by any other act or omission punishable under this Code, fails while abroad to fulfil an obligation undertaken with respect to a person in Iceland.

Article 6. If a subject of the King domiciled in Iceland has committed any other offence abroad, the Civil Governor of Iceland may cause him to be prosecuted there, and the offender shall then be sentenced under this Code.

Article 7. If a person is prosecuted in Iceland for an offence and it appears that he has been punished for the same in another State, the courts shall take into consideration the penalty imposed upon him abroad and may, according to the circumstances, impose a milder sentence than that provided by law or no sentence at all.

Article 8. If a person has committed offences both in Iceland and in the Kingdom of Denmark and is prosecuted in Iceland for all the offences so committed, the penalty for them all shall be determined according to the law in force in Iceland.

The said law shall likewise be applied if a person in Iceland who has committed an offence in the Kingdom cannot be arrested on that account and sent to the place where the offence was committed and is therefore prosecuted in Iceland at the request of the competent authority in the Kingdom or, in the case of an offence which under Icelandic law may be prosecuted privately, is sued by the injured party in the court in Iceland having jurisdiction.

Article 9. With regard to embassies of foreign States and foreign warships and troops and with regard to offences committed in their official capacity by foreign officials stationed in Iceland, the general rules of international law shall apply.

. . .

29. India

(a) PENAL CODE, ACT NO. 45, 6 OCTOBER 1860, AS AMENDED. S. SASTRY AND H. PRASAD, "THE INDIAN PENAL CODE" (1951), P. 6.

. . .

Section 3. Punishment of offences committed beyond, but which by law may be tried within India. Any person liable, by any Indian law, to be tried for an offence committed beyond India shall be dealt with according to the provisions of this Code for any act committed beyond India in the same manner as if such act had been committed within India.

Section 4. Extension of Code to extra-territorial offences. The provisions of this Code apply also to any offence committed by:

- (1) Any citizen of India in any place without and beyond India;
- (2) Any person on any ship or aircraft registered in India wherever it may be.

Explanation. — In this section the word "offence" includes every act committed outside India which, if committed in India, would be punishable under this Code.

. . .