

## 15. Denmark

(a) PENAL CODE, 24 JUNE 1939. "DANMARKS LOVE, 1665-1946", PP. 1924, 1925. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

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6. (1) Danish criminal jurisdiction shall extend to an offence committed

- (i) On Danish soil;
- (ii) On a Danish vessel outside the internationally-recognized territory of a State;
- (iii) On a Danish vessel within foreign internationally-recognized territory by a member of the crew or a passenger.

(2) The Minister of Justice shall decide which offences committed on board a foreign vessel in Danish territory by or against a member of a crew or a passenger shall be prosecuted.

7. Danish criminal jurisdiction shall henceforward extend to the following offences committed outside the territory of the Danish State by a person having Danish nationality or domiciled within that territory:

(1) An offence committed outside the internationally-recognized territory of a State and of a kind punishable by a severer penalty than detention;

(2) An offence committed within such territory and punishable also under the law which is in force there.

8. (1) Danish criminal jurisdiction shall also comprehend an offence committed outside the Danish State, irrespective of the domicile of the offender:

(i) If the offence is prejudicial to the independence, security, constitution or public authorities of the Danish State, or constitutes a breach of an official duty or interests protected by law in the Danish State by reason of their special relationship thereto;

(ii) If the offence constitutes a breach of a duty which the offender is required by law to perform abroad, or of a duty respecting a Danish vessel and arising out of his employment;

(iii) If the offence is committed outside the internationally-recognized territory of a State and injures a person having Danish nationality or domiciled within the Danish State (and is of a kind punishable by a severer penalty than detention).

(2) The Chief Public Prosecutor shall decide whether charges shall be preferred in any of the cases referred to in paragraph (iii) above.

9. An offence constituted by, or the penalty for which is affected by, its actual or intended effects shall be deemed to have been committed in the place in which its effects occurred or were intended to occur.

10. (1) Where in conformity with the foregoing provisions charges are preferred in Denmark, the sentence and all other legal consequences of the act shall be determined in accordance with Danish law.

(2) In the cases specified in section 7 a person committing an offence within the internationally-recognized territory of a foreign State shall not be sentenced to a severer penalty than that prescribed by the law of the place in which the offence was committed.

(3) In the cases specified in section 7 charges shall not be preferred in Denmark if the accused person has been finally acquitted in the State in which the offence was committed, or if he has suffered the penalty awarded, or it is barred by lapse of time under the law of the State in which the offence was committed.

(4) In other cases in which a person about to be sentenced in Denmark for an offence has already undergone a penalty therefor elsewhere, due account shall be taken thereof and the penalty shall be reduced or remitted accordingly.

11. Where a person having Danish nationality or domiciled in the Danish State is punished in a foreign State for an offence which under Danish law may entail revocation or loss of the right to practise a profession or occupation or some other right, such revocation may be imposed in public proceedings instituted by the Chief Public Prosecutor.

12. The rules prescribed in sections 6 to 8 shall be subject in their application to the exceptions recognized by international law.

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## 16. Dominican Republic

(a) CODE OF CRIMINAL PROCEDURE, 27 JUNE 1884, AS AMENDED BY THE ACT OF 28 JUNE 1911. "GACETA OFICIAL No. 2208; CÓDIGO DE PROCEDIMIENTO CRIMINAL DE LA REPÚBLICA DOMINICANA" (1927), PP. 84-85. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

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*Article 5.* A citizen of the Dominican Republic, who commits a crime abroad punishable under the law of the Dominican Republic, may be prosecuted and tried in the Republic.

A citizen of the Dominican Republic, who commits abroad an act which is an offence under Dominican law, may be prosecuted and tried in the Republic if the act is punishable under the law of the State where it was committed.

Prosecution proceedings shall not, however, be taken when the offender proves that he has been tried for a crime or offence committed abroad. If he has committed an offence against a Dominican citizen or an alien, prosecution proceedings shall only be instituted at the request of the Public Prosecutor and must be preceded by a complaint made by the injured party or an official accusation lodged with the Dominican authorities by the authorities of the State where the offence was committed.

No proceedings shall be taken prior to the return of the offender to the Republic, except in case of the crimes listed in article 7.

*Article 6.* In the cases referred to in the preceding article proceedings shall be instituted at the request of the Public Prosecutor of the place where the offender lives or may be found. At the request of the Public Prosecutor or of the parties concerned, the High Court of Justice may, however, rule that the case shall be heard by the court situated nearest to the place where the offence or crime was committed.

*Article 7.* An alien who has committed abroad, as principal or accessory, a crime against the security of the State, or a crime involving the