

Chapter III

CRIMES

(...)

Article 18.- Incompleted commission of a crime

Incompleted commission of a crime is an intentional commission of a crime which cannot be carried out to the end due to causes beyond the control of the offender.

Persons who commit incompleted crimes shall bear penal liability therefor.

Article 19.- Voluntary termination of unfinished crimes

To voluntarily terminate the commission of a crime is to refuse at one's own will to carry out a crime to the end though nothing stands in the way.

A person who voluntarily terminates the commission of a crime shall be exempt from penal liability for the attempted crime; if the act actually committed fully consists of elements of another crime, such person shall bear penal liability for such crime.

Article 20.- Complicity

1. Complicity is where two or more persons intentionally commit a crime.

2. The organizers, executors, instigators and helpers are all accomplices.

The executors are those who actually carry out the crimes.

The organizers are those who mastermind, lead and direct the execution of crimes.

The instigators are those who incite, induce and encourage other persons to commit crimes.

The helpers are those who create spiritual or material conditions for the commission of crimes.

3. The organized commission of a crime is a form of complicity with close collusion among persons who jointly commit the crime.

(...)

Chapter VII

DECIDING PENALTIES

(...)

Article 52.- Deciding penalties in case of preparation for crime commission, incompleted commission of crime

1. For acts of preparing to commit crimes and acts of committing incomplete crimes, the penalties shall be decided according to the provisions of this Code on corresponding crimes,

depending on the nature and the extent of danger to the society of such acts, the extent of realizing the intention to commit crimes and other circumstances that make the crimes not carried out to the end.

2. For cases of preparing to commit crimes, if the applicable law provision stipulates the highest penalty is life imprisonment or the death sentence, the applicable highest penalty shall not exceed twenty years of imprisonment; if it is termed imprisonment, the penalty shall not exceed half of the imprisonment term prescribed by the law provision.

3. For cases of incomplete offense, if the applicable law provision stipulates the highest penalty being the life imprisonment or death sentence, these penalties can only apply to particularly serious cases; if it is termed imprisonment, the penalty level shall not exceed three quarters of the imprisonment term prescribed by the law provision.

Article 53.- Deciding penalties in cases of complicity

When deciding penalties for accomplices, the court shall take into account the nature of complicity and the nature and extent of involvement of each accomplice.

Extenuating, aggravating or penal liability exemption circumstances of any accomplice shall only apply to such accomplice.