

or against the commander or an officer of an aircraft while carrying out or fulfilling his duties.

Art. 1086. (Use of part of amounts derived from fines.) One half of the amount paid as a fine for crimes and violations provided for in this Code shall go to the National Seamen's Security Fund, the Fund for the Assistance of Dock Workers, the Relief Fund for the Personnel of Inland Navigation, or to the National Assistance Fund for Flight Personnel.

TITLE TWO—CRIMES IN PARTICULAR

CHAPTER I. CRIMES AGAINST THE STATE

Art. 1088. (Embarking on enemy ships and aircrafts.) A citizen who signs up on a ship or aircraft of a country at war with the Italian State shall be punished by imprisonment for a period of not less than five years unless the crime constitutes a more serious offense.

Art. 1089. (Contempt of the flag or other emblems of the State.) If the crimes provided for in Articles 291 and 292 of the Criminal Code are committed by a member of the crew of a ship or of aircraft personnel in foreign territory, the punishment shall be increased:

- (1) by one third if the crew member is a foreigner;
- (2) from one third to one half if the crew member is an Italian citizen;
- (3) from one half to two thirds if the act is committed by the captain or an officer of a ship or by the commander or officer of an aircraft.

Art. 1090. (Additional punishment.) Conviction for the crime provided for in Article 1088 shall be accompanied by perpetual deprivation of licenses and prohibition to practice the profession of the person convicted.

CHAPTER II. CRIMES AGAINST SHIP AND AVIATION DISCIPLINE

SECTION I—CRIMES AGAINST SHIP'S DISCIPLINE

Art. 1091. (Desertion.) A crew member who does not return to his ship or aircraft or abandons the same, shall be punished by imprisonment for up to one year if such act results in noticeable difficulty in navigation. But, if such act results in great inconvenience to public service, the punishment shall be up to two years imprisonment. If such act results in danger to the lives or safety of the personnel as well as to the safety of the ship or aircraft or their respective cargoes, the punishment shall be from one to three years imprisonment.

The provisions of this Article shall not apply if the act constitutes a more serious offense specified and provided for in other laws.

Art. 1092. (Aggravating circumstances.) The punishment shall be increased by one third whenever the crime has been carried out:

- (1) for political reasons;
- (2) by use of threats and violence;
- (3) abroad;
- (4) by persons in command of a ship's engines or in command, charge of, or while piloting an aircraft;
- (5) by three or more persons of the crew.