

In regard to (5) of this Article, the punishment shall be increased by one third for the leaders and organizers.

Art. 1093. (Cause for nonpunishment.) In cases provided in the first paragraph of Article 1091, and even under the aggravating circumstances provided for in Article 1092, a guilty person shall not be punished if he returns to the ship before it sails, or, at any rate, not later than the third day from the day on which he was expected to be on board, or when he boards the aircraft before the takeoff.

Art. 1094. (Nonobservance of orders by a member of the crew.) A member of the crew who does not execute an order of his superior officer concerning a technical service on a ship or aircraft shall be punished by imprisonment for up to 3 months.

If the service concerns maneuvering, the imprisonment shall be from one to six months. But if such an act results in serious difficulty in navigation or great inconvenience to public service or public need, jeopardizes human life and safety or the safety of ships or aircraft and that of their respective cargoes, the imprisonment shall be from six months to three years.

If an order has been given to save a ship, a floating object or aircraft or to assist a ship, floating object or the aircraft or person in danger, the imprisonment shall be from one to four years.

Art. 1095. (Nonobservance of orders on the part of the passengers.) A passenger who does not carry out an order concerning the safety of a ship or aircraft shall be punished by imprisonment of up to three months or by a fine of up to 2,000 liras.¹⁷

Art. 1096. (Disobeying an arrest warrant.) A crew member who does not carry out a warrant of arrest on board a ship or aircraft shall be punished by imprisonment of up to three months or by a fine of up to 2,000 liras.

Art. 1097. (Abandonment by the commander of a ship or aircraft in danger.) A commander, who is not the last to leave a ship, floating object or aircraft in danger which is being abandoned, shall be punished by imprisonment for up to two years.

If his act results in fire, shipwreck or the sinking of the ship, or floating object, or in fire, crash and loss of the aircraft, the punishment shall be from two to eight years imprisonment. If the ship or aircraft is used for the transportation of passengers, the punishment shall be from three to twelve years of imprisonment.

Art. 1098. (Abandonment of a ship or aircraft by a crew member.) A crew member who, without the permission of the captain, leaves a ship, floating object or aircraft, shall be punished by imprisonment of up to one year. The same penalty shall apply to any member of the flight personnel who, without the permission of the commander, parachutes from or otherwise abandons an aircraft in danger.

If such act results in fire, shipwreck or sinking of the vessel, or floating object, or a fire, crash or loss of the aircraft, the punishment shall be from two to eight years of imprisonment. However, if the

¹⁷ In the original text of the Code, the fine consisted in the measure from 50 to 50,000 liras. Decree No. 679 of October 5, 1945, doubled such amounts. In 1947 amounts regarding fines were multiplied by eight. In fact, Article 7, third paragraph of Decree No. 1250 provided: "Fine applied for each crime in the Criminal Code, in those of special laws as well as any other pecuniary sanctions inflicted for violations as from the Code of Criminal Procedure shall be multiplied by eight." This increase went through further revision in 1961, in fact, Decree No. 603 of July 12, 1961, provided that the fine shall not be less than 2,000 liras or more than 2,000,000 liras.