

FOURTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 1985

CONGRESSIONAL BILL NO. 4-58, C.D.1, C.D.2

AN ACT

To further amend title 11 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 2-71, 3-63, and 3-75, by amending section 301 relating to liability for crimes of another, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 301 of title 11 of the Code of the Federated
2 States of Micronesia is hereby amended to read as follows:

3 "Section 301. Liability for crimes of another.

4 (1) A person is criminally liable for the conduct of
5 another, if:

6 (a) he intentionally aids, abets, advises,
7 solicits, counsels, or conspires with or otherwise procures
8 the other to commit an offense; or

9 (b) while acting with the state of mind that is
10 sufficient for the commission of the offense, he causes an
11 innocent or irresponsible person to engage in such conduct;
12 or

13 (c) having a legal duty to prevent the commission
14 of an offense, he fails to make proper effort to do so.

15 (2) A person liable under subsection (1) of this
16 section is also liable for any other offense committed in
17 the pursuance of the intended crime if reasonably foresee-
18 able by him as a probable consequence of committing or
19 attempting to commit the offense intended.

20 (3) A person liable under this section may be charged
21 with and convicted of the offense although the person who
22 directly committed it has not been prosecuted or convicted,

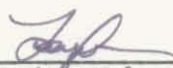


1 or has been convicted of a different offense or degree of
2 offense.

3 (4) No person may be convicted under this section
4 unless the information specifically alleges that the
5 defendant aided and abetted and that said information
6 provides specific acts constituting the means of aiding and
7 abetting so as to afford the defendant adequate notice to
8 prepare his defense."

9 Section 2. This act shall become law upon approval by the
10 President of the Federated States of Micronesia or upon its becoming
11 law without such approval.

12
13 December 24, 1986

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16 _____
17 Tosiwo Nakayama
18 President
19 Federated States of Micronesia

