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The General Penal Code

1940 No. 19 (12 February)

Entered into force 12 August 1940. *Amended by* l. 47/1941 (took effect 30 June 1941), l. 36/1944 (took effect 24 Aug. 1944), l. 101/1950 (took effect 31 Dec. 1950), l. 100/1951 (took effect 20 March 1951), l. 22/1955 (took effect 23 May 1955), l. 20/1956 (took effect 24 Apr. 1956), l. 21/1957 (took effect 3 Sept. 1957), l. 31/1961 (took effect 2 May 1961), l. 8/1962 (took effect 28 Sept. 1962), l. 17/1962 (took effect 4 May 1962), l. 69/1964 (took effect 15 Jan. 1965), l. 41/1973 (took effect 24 May 1973), l. 96/1973 (took effect 31 Dec. 1973), l. 64/1974 (took effect 11 June 1974), l. 16/1976 (took effect 10 May 1976), l. 24/1976 (took effect 28 May 1976), l. 101/1976 (took effect 29 Dec. 1976), l. 34/1980 (took effect 9 June 1980), l. 52/1980 (took effect 16 June 1980), l. 20/1981 (took effect Oct. 1981), l. 69/1981 (took effect 18 June 1981), l. 13/1984 (took effect 1 July 1984), l. 42/1985 (took effect 1 July 1985), l. 48/1988 (took effect 1 Jan. 1989), l. 16/1990 (took effect 6 Apr. 1990), l. 19/1991 (took effect 1 July 1992 except for the first and third paragraphs of Art. 29, which took effect 17 Apr. 1991), l. 21/1991 (took effect 1 July 1992), l. 92/1991 (took effect 1 July 1992 except for Art. 103, which took effect 9 Jan. 1992), l. 40/1992 (took effect 10 June 1992), l. 39/1993 (took effect 7 May 1993; *EEA Agreement:* Annex IX, Directive 91/308/EEC), l. 50/1993 (took effect 1 July 1993), l. 72/1993 (took effect 27 May 1993), l. 133/1993 (took effect 1 Jan. 1994; *EES Agreement:* Annex V, Directive 64/221/EEC, Annex VII, Directive 67/43/EEC, Annex V, Directives 68/360/EEC and 72/194/EEC, Annex VIII, Directives 73/148/EEC, 75/34/EBE and 75/35/ EEC, Annex VII, Directives 77/249/EEC and 89/48/EEC, Annex VIII, Directives 90/364/ EEC, 90/365/EEC and 90/366/EBE), l. 39/1995 (took effect 1 Jan. 1995), l. 71/1995 (took effect 13 Mar. 1995), l. 142/1995 (took effect 29 Dec. 1995), l. 84/1996 (took effect 1 July 1997), l. 90/1996 (took effect 1 July 1997), l. 126/1996 (took effect 1 Jan. 1997), l. 135/1996 (took effect 30 Dec. 1996), l. 10/1997 (took effect 26 Mar. 1997), l. 57/1997 (took effect 1 July 1997), l. 30/1998 (took effect 29 Apr. 1998), l. 63/1998 (took effect 18 June 1998), l. 82/1998 (took effect 1 Oct. 1998), l. 140/1998 (took effect 30 Dec. 1998), l. 147/1998 (took effect 30 Dec. 1998), l. 24/1999 (took effect 30 Mar. 1999), l. 122/1999 (took effect 30 Dec. 1999),l. 15/2000 (took effect 28 Apr. 2000), l. 39/2000 (took effect 26 May 2000), l. 94/2000 (took effect 6 June 2000), l. 25/2001 (took effect 16 May 2001), l. 32/2001 (took effect 16 May 2001), l. 44/2001 (took effect 13 June 2001), l. 14/2002(took effect 3 Apr. 2002), l. 56/2002 (took effect 14 May 2002), l. 70/2002 (took effect 17 May 2002), l. 99/2002 (took effect 31 May 2002), l. 40/2003 (took effect 3 Apr. 2003), l. 54/2003 (took effect 7 Apr. 2003), l. 125/2003 (took effect 30 Dec. 2003), l. 73/2004 (took effect 18 June 2004), l. 129/2004 (took effect 31 Dec. 2005), l. 21/2005 (took effect 25 May 2005), l. 49/2005 (took effect 1 July 2005), l. 81/2005 (took effect 9 June 2005), l. 83/2005 (took effect 9 June 2005),l. 27/2006 (took effect 3 May 2006), l. 74/2006 (took effect 30 June 2006), l. 25/2007 (took effect 29 Mar. 2007), l. 61/2007 (took effect 4 Apr. 2007), l. 88/2008 (took effect 1 Jan. 2009 except for Interim Provision VII, which took effect 21 June 2008), l. 54/2009 (took effect 1 May 2009), l. 149/2009 (took effect 1 Jan. 2010), l. 143/2010 (took effect 29 Dec. 2010), l. 162/2010 (took effect 1 Jan. 2011), l. 72/2011 (took effect 28 June 2011), l. 85/2011 (took effect 30 June 2011), l. 126/2011(took effect 30 Sept. 2011), l. 58/2012 (took effect 27 June 2012), l. 5/2013 (took effect 2 Feb. 2013), l. 37/2013 (took effect 9 Apr. 2013), l. 13/2014 (took effect 13 Feb. 2014), l. 43/2015 (took effect 2 July 2015), l. 44/2105 (took effect 2 July 2015)

If in this Act 'the minister' or 'the ministry' is mentioned without further definition of, or reference to, the portfolio involved, this is a reference to the Minister of the Interior or the Ministry of the Interior, as they are responsible for the application of this Act. Information on the responsibilities of the government ministries, as determined by Presidential decrees, can be found here.

Chapter I. Authorisation for punishment; scope of penal law …[1)] etc.

[1] *L. 72/1993, 1. gr.*

■ **Art.1** No person shall be punished without being convicted of conduct which is punishable according to law or can be regarded as fully equivalent to conduct that is considered an offence according to law.

□ [Sanctions under Chapter VII of this Act may not be applied unless they are prescribed in the sources referred to in the first paragraph of this Article.][1]

[1] *L. 31/1961, 1. gr.*

■ **Art. 2** Where penal legislation is amended between the commission of a deed and the delivery of judgment, the case shall be judged according to the newer legislation, both as regards the criminality of the deed and the punishment. At no time, however, may punishment be imposed unless it was authorised in law at the time when the deed was committed; nor may a more severe punishment be imposed than would have been imposed under that law. If penal provisions in law have ceased to apply for reasons that do not indicate a change in the legislature's assessment of the criminality of the deed, the case shall be judged according to the law applying when the offence was committed.

□ If the criminality of a deed ceases to apply for reasons other than those described in the preceding paragraph, punishment imposed for the deed shall be waived, to the extent that it has not already been enforced. In addition, other consequences of the deed entailed by its criminality under the older law shall be waived, with the exception of the obligation to pay legal costs. The question of whether punishment imposed is to be waived or reduced in cases where the judgment also covered other offences may be referred to the court which judged the case at the district court level, or to a court in the party's venue. Appeals may be lodged against conclusions by district courts.

■ **[Art. 2a** Sanctions for the offences referred to in Chapter VII of this Act may not be applied unless they were prescribed in the sources listed in the first paragraph of this article at the time of the offence, and the principles of Article 2 shall be observed when they are determined.][1]

[1] *L. 31/1961, 2. gr.*

■ **Art. 3** When criminal legislation makes repetition of an offence entail a heavier punishment, or other sanctions, a sentence under older law shall have this iterative effect in accordance with its wording as if it had been imposed according to the newer law..

■ **Art. 4** Punishment shall be imposed under the Icelandic Penal Code as follows:

1. For offences committed within the Icelandic state. If the offence is committed by a person employed, or by a passenger, on board a foreign ship or aircraft travelling within Icelandic jurisdiction against someone travelling with the craft, or against interests closely associated with the craft, then punishment shall only be imposed in Iceland if [the minister][1] orders an investigation and prosecution.

2. For offences committed on board Icelandic ships or aircraft, irrespective of where they were at the time. If the offence was committed in a place covered by the

criminal jurisdiction of another state under international law, and by a person who was neither a permanent employee nor a passenger on the craft, then punishment shall nevertheless only be imposed in Iceland if this is provided for under Article 5 or 6.

[3. For violations of Article 264 that are committed within the Icelandic state, even if the original offence giving rise to the gain was committed abroad, and irrespective of the identity of the perpetrator.][2)]

[1)] *L. 126/2011, 16. gr.* [2)] *L. 10/1997, 1. gr.*

■ **Art. 5** Punishment shall be imposed according to the Icelandic Penal Code for offences committed abroad by Icelandic citizens or by persons resident in Iceland as follows.

1. If the offence was committed in a place outside the criminal jurisdiction of other states under international law, provided that it was also punishable at the time under the law of the defendant's home state.

2. If the offence was committed in a place under the criminal jurisdiction of another state under International law, provided it was also punishable at the time under the law of that state.

□ [The provisions of the first paragraph may be applied to deeds by a person who is a citizen of Denmark, Finland, Norway or Sweden, or is domiciled there, and who is resident in Iceland.][1)]

□ [In the instances covered in item 2 of the first paragraph, punishment shall be imposed under the Icelandic Penal Code for offences committed by a person who was an Icelandic citizen, or was domiciled in Iceland, at the time of the deed, which are covered by the second, third or fourth paragraph of Article 206, the first paragraph of Article 210 b, Article 218 a and item 2 of the first paragraph of Article 227 a, and were committed abroad even if the deed is not considered a punishable offence under the laws of the state involved. The same shall apply to violations committed against a child under the age of 15 which come under Article 194, 197-198, 200-201 and the first paragraph of Article 202, and offences under the first paragraph of Article 210 a, providing they involve the production of items listed there.][2)]

[1)] *L. 101/1976, 2. gr.* [2)] *L. 58/2012, 1. gr.*

■ **Art. 6** Punishment shall be imposed according to the Icelandic Penal Code for the following offences even if they are committed outside the Icelandic state and irrespective of the identity of the perpetrator.

1. Offences against the independence of the Icelandic state, its security, constitution and public authorities; breaches of duty to the Icelandic state and offences against interests protected by Icelandic law on account of a close connection with the Icelandic state.

2. Breaches of duties which the perpetrator was obliged under Icelandic law to honour abroad, and of duties in accordance with employment on an Icelandic ship or aircraft.

3. Offences against the interests of Icelandic , or of persons domiciled in Iceland, if they are committed in a place that is not covered by the criminal jurisdiction of other states under international law. …[1)]

[4. Violations of the second, third or fourth paragraph of Article 165, and also homicide, bodily harm, deprivation of freedom and other acts of violence committed in connection with violations of these provisions and furthermore conduct covered by the international Convention of 23 September 1971 for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation and the Protocol thereto of 24 February 1988. However, legal proceedings under this item shall only be instituted in accordance with an order by [the minister].[2)]][3)]

[5. Conduct covered by the Convention of 14 December 1973 on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents.][4)]

[6. Conduct covered by Article 1 of the European Convention of 27 January 1977 on the Suppression of Terrorism. However, legal proceedings under this item shall only be instituted in accordance with an order by [the minister].[2)]][5)]

[7. [Conduct covered by the International Convention of 18 December 1979 against the Taking of Hostages applies.][6)] However, legal proceedings under this item shall only be instituted in accordance with an order by [the minister].[2)]][7)]

[8. Perjury before the EFTA Court, providing that the court has demanded prosecution.][8)]

[9. Conduct covered by the Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. However, legal proceedings under this item shall only be instituted in accordance with an order by [the minister].[2)]][9)]

[10. Conduct covered by the Convention of 21 November 1997 on Combating Bribery of Foreign Public Officials in International Business Transactions.][10)]

[11. Conduct covered by the Comprehensive Nuclear-Test-Ban Treaty of 10 September 1996.][11)]

[12. Conduct covered by the Convention of 21 November 1997 on Combating Bribery of Foreign Public Officials in International Business Transactions.][12)]

[13. Conduct covered by the Convention to Prevent Illegal Activities Against Safety in Sailing at Sea of 10 March 1988.

14. Conduct covered by the Protocol on Preventing Illegal Activities Against Seabed Fixed Constructions on the Continental Shelf of 10 March 1988.

15. Conduct covered by the Convention on the Custody of Nuclear Reactor Substances of 3 March 1980.][13]

[[16.][14] Conduct covered by the Terrorist Bombings Convention of 15 December 1997.

[17.][14] Conduct covered by the International Convention on Preventing the Financing of Terrorism Activities of 9 December 1999.][15]

[18. Conduct covered by the Agreement in the field of Criminal Law on Corruption of 27 January 1999 [and in the Additional Protocol to that agreement of 15 May 2003].[16]][17]

[19. Conduct covered by the United Nations Convention against Transnational Organized Crime of 15 November 2000 and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children of 15 November 2000.

20. Conduct covered by the Council of Europe Convention on Action against Trafficking in Human Beings of 3 May 2005.][18]

[21. Conduct covered by the United Nations Convention against Corruption of 31 October 2003.][19]

[22. Conduct covered by the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse of 25 October 2007.][20]

[1] *L. 72/1993, 2. gr.* [2] *L. 162/2010, 88. gr.* [3] *L. 16/1990, 1. gr.* [4] *L. 24/1976, 1. gr.* [5] *L. 52/1980, 1. gr.* [6] *L. 72/1993, 3. gr.* [7] *L. 69/1981, 1. gr.* [8] *L. 133/1993, 3. gr.* [9] *L. 142/1995, 1. gr.* [10] *L. 147/1998, 1. gr.* [11] *L. 25/2001, 6. gr.* [12] *L. 44/2001, 1. gr.* [13] *L. 70/2002, 1. gr.* [14] *In the Government Gazette these items are numbered 13 and 14, but should be 16 and 17; cf. the amendments made to this Article under 1. gr. l. 70/2002.* [15] *L. 99/2002, 1. gr.* [16] *L. 5/2013, 1. gr.* [17] *L. 125/2003, 1. gr.* [18] *L. 149/2009, 1. gr.* [19] *L. 143/2010, 1. gr.* [20] *L. 58/2012, 2. gr.*

■ **Art. 7** If punishment is to some extent made contingent in law on the consequences of a deed, then the deed shall also be considered as having been committed where these consequences occur or are expected to occur.

■ **Art. 8** Where a criminal action is brought before an Icelandic court, the punishment imposed, and other consequences of the offence, shall be determined according to Icelandic law.

□ Punishment for an offence for which criminal proceedings are instituted in Iceland under Art. 5 may not exceed the maximum punishment prescribed for the offence in the defendant's home state (*cf.* item 1) or in the state where the offence was committed (*cf.* item 2).

□ . . .[1]

[1] *L. 72/1993, 4. gr.*

■ **[Art. 8 a** If a person has been sentenced in the state where the offence was committed (*cf.* item 2 of the first paragraph of Article 5), or in a member state of

the Convention on the International Validity of Criminal Judgments of 28 May 1970 [or of international agreements applying under the Schengen Scheme][1] he or she shall not be indicted or sentenced in Iceland, and no sanctions shall be enforced on account of the offence for which the person was subjected to judgment in that state, if:

1. he or she was acquitted,
2. the sanctions imposed have already been enforced, or are being enforced, or have lapsed or been waived in accordance with the law in the state where judgment was rendered, or
3. he or she has been convicted without any punishment or other sanctions being determined.

☐ The provisions of the first paragraph shall not apply to offences covered by Article 4 and item 1 of Article 6 unless criminal proceedings have been instituted in the other state at the request of the Icelandic authorities.][2]

[1] *L. 15/2000, 1. gr.* [2] *L. 72/1993, 5. gr.*

■ **[Art. 8 b** If criminal proceedings are instituted in Iceland against a person for offences for which he or she has already been subjected to sanctions in another state, the sanctions determined in Iceland shall be correspondingly mitigated, or shall be waived, as appropriate, to the extent that the sanctions have already been enforced in the other state.][1]

[1] *L. 72/1993, 6. gr.*

■ **Art. 9** …[1]

[1] *L. 13/1984, 28. gr.*

■ **Art. 10** If the Icelandic state has a person extradited for punishment from another state, he or she may neither be sentenced for offences committed prior to the extradition other than those for which the extradition is made, if the foreign state has set such a condition, nor to a more severe punishment than that which the foreign state has specified.

■ **Art. 11** The provisions of Articles 4–6 …[1] of this Act shall be applied subject to the limitations entailed by the principles of international law.

[1] *L. 42/1985, 1. gr.*

Chapter II. General conditions for punishment.

■ **Art. 12** An act committed as an emergency defence measure shall not be punishable to the extent that it was necessary in defence against, or to avert, an unlawful attack that was already initiated or was imminent, provided that the defensive measures taken were not obviously more dangerous than were warranted by the attack and the injury or damage it could be expected to cause.

☐ A person who has exceeded the limits of permitted emergency defence as a

result of having been so frightened or startled that he or she could not exercise full restraint, shall not be punished.

■ **Art. 13** Any act that was necessary in order to protect lawful interests against imminent danger shall not be punishable, even if it led to the abridgement of other interests that must be regarded as considerably smaller.

■ **Art. 14** No person shall be punished for a deed committed before he or she attained the age of 15 years.

■ **Art. 15** Persons who, due to mental illness, mental retardation or degeneration, diminished cognition or another comparable condition were completely incapable of controlling their actions at the time of the commission of the deed shall not be punished.

■ **Art. 16** If the perpetrator of a deed had impaired mental capacity due, for example, to retardation, degeneration, abnormal sexual development or other disturbance, this condition not being as pronounced as is described in Article 15, he or she shall be punished for the offence if, as appropriate and after medical opinion has been obtained, it is reasonable to consider that punishment will produce results.

□ If an institution intended for persons such as those mentioned in this Article is established, it may be stated in the sentence that the offender is to serve his or her [sentence][1] in that institution.

[1] *L. 82/1998, 1. gr.*

■ **Art. 17** Punishment shall be imposed even though the offence was committed while the perpetrator was drunk or under the influence of other intoxicants. In cases of complete lack of self-awareness, however, punishment shall not be imposed unless the accused knew in advance, or had full reason to be aware, that he would commit the offence while under the influence, or that the offence would follow from his or her being in that condition.

■ **Art. 18** Deeds for which punishments are prescribed in this Act are not punishable unless they are committed by intent or through negligence. Punishment shall only be imposed for offences committed through negligence if special authorisation for this is made in this Act.

■ **Art. 19** If the criminality of a deed, or aggravation of the punishment for it, is made contingent in this Act on its having specific consequences, then this condition shall not be considered met unless the consequences, at least, may be attributed to the defendant's negligence, or the fact that the defendant made no effort to avert as far as possible the danger that the deed entailed when he or she became aware of it.

[Chapter II A. Criminal liability of legal persons.][1]

[1] *L. 140/1998, 1. gr.*

■ **[Art. 19 a** Legal persons may be fined where this is prescribed in law.][1]

[1] *L. 140/1998, 1. gr.*

■ **[Art. 19 b** Provisions in law on the criminal liability of legal persons shall apply, subject to any limitations provided for therein, to any entity which, while not being a natural person, is capable of enjoying rights and bearing duties under Icelandic law, including public limited companies, private limited companies, companies with mixed liability of owners, European Interest Groupings, partnership companies, co-operative societies, public associations, private foundations, administrative authorities, institutions and municipalities.][1]

[1] *L. 140/1998, 1. gr.*

■ **[Art. 19 c** Unless other provisions are made in law, the criminal liability of a legal person is subject to the condition that a person in charge of the legal person, or its employee or another person under its auspices has, in a criminal manner, committed a criminal and unlawful act in the operations of the legal person. Punishment shall be imposed on the legal person even though it cannot be established which of these parties was involved. Criminal liability of a government authority is subject to the condition that a criminal and unlawful act has been committed in operations that are considered comparable with those of a private entity.][1]

[1] *L. 140/1998, 1. gr.*

■ **[Art. 19 d** If the conditions of provisions in this Chapter are met, the legal person may be made to incur criminal liability for violations of this Act [and deprivation of rights according to the second paragraph of Article 68][1]][2]

[1] *L. 5/2013, 2. gr.* [2] *L. 74/2006, 1. gr.*

Chapter III. Attempts and capacity as an accessory.

■ **Art. 20** Any person who has resolved to commit an act punishable under this Act and has clearly demonstrated this resolve by an act aimed at commission or designed as such is, if the offence has not been brought to completion, guilty of an attempted offence.

□ For an attempted offence, a more lenient punishment may be imposed than for a completed offence. This shall, in particular, be done in cases where the attempt indicates that the offender is less dangerous and his/her resolution not as firm as that of persons who bring such offences to completion.

□ If, in terms of the interests targeted or the act itself, the attempt could not have resulted in the offence being brought to completion, it may be decided that punishment is to be waived.

■ **Art. 21** Punishment for an attempted offence shall be waived if the person guilty of it abandons, of his or her own accord, the decision to commit the offence before it is brought to completion, providing its commission was not aborted or

obstructions or other accidental circumstances did not prevent the attainment of the intended result
and, assuming that the perpetrator, through his or her action, caused or believed he or she had caused, a danger that the offence would be brought to completion, he or she moreover prevented this, or took measures which would have prevented it, if the completion of the offence had not been hindered in another manner, without his or her knowledge, or been impossible.

■ **Art. 22** Any person who, by assisting in word or deed, through persuasion, encouragement or in any other manner, contributes to the commission of an offence under this Act shall incur the punishment prescribed for the offence.

□ If the share of a contributor to the offence is minor, or if it consists of strengthening another person's resolve that has already been formed, and if the offence is not brought to completion or if the intended participation in it is unsuccessful, the contributor may be sentenced to a more lenient punishment than is prescribed in law for the offence.

□ Under the circumstances described in the second paragraph, and also if a person has chanced by negligence to participate in an offence, punishment may be waived if the offence falls under a punitive provision in which the prescribed punishment is not greater than [up to one year's imprisonment].[1)]

□ If the offence is brought to completion, a person who provides the actual perpetrator or another person with assistance in maintaining an unlawful situation that has come into being as a result of the offence, or who derives profit from it, shall be punished according to the provisions of this Article providing that his or her actions are not covered by other provisions in law.

[1)] *L. 82/1998, 2. gr.*

■ **Art. 23** An accessory to an offence shall not be punished if he or she averts an offence or takes measures in the way described in Article 21 that would have prevented it had its realisation not, without his or her knowing, been aborted in another manner, failed or been impossible.

Chapter IV. [Private criminal proceedings.][1)]

[1)] *L. 88/2008, 234. gr.*

■ **Art. 24** …[1)]

[1)] *L. 88/2008, 234. gr.*

■ **Art. 25** If the prosecution authority is not obliged to institute proceedings …[1)] on the basis of an offence …[1)] then only the injured party …[1)] may institute proceedings.

□ If the injured party is not legally competent, the person who has custody over the party shall appear on his or her behalf. If it is considered necessary, a special legal

guardian may be appointed for this purpose.

□ If the injured party is deceased, or if an act committed against a deceased party is punishable, then the husband, wife, parents, children, adopted children, [grandchildren][2] siblings of the deceased shall be entitled to institute proceedings …[1]

[1] *L. 88/2008, 234. gr.* [2] *L. 39/2000, 1. gr.*

■ **Art. 26** …[1]

□ [If more than one person was injured by the same act, each may separately initiate private proceedings for the punishment of the perpetrator, providing that the prosecution authority is not obliged to institute proceedings on the basis of the offence.][1]

□ …[1]

[1] *L. 88/2008, 234. gr.*

■ **Art. 27** …[1]

[1] *L. 88/2008, 234. gr.*

■ **Art. 28** If punishment is not to be imposed unless a demand for punishment is presented in a private action, then if the injured party relinquishes his or her right to institute proceedings or drops the demand for punishment in some other way before the case is judged by a district court.

□ …[1]

□ …[2]

[1] *L. 19/1991, 194. gr.* [2] *L. 88/2008, 234. gr.*

■ **Art. 29** [The authorisation to instigate private proceedings for the punishment shall expire unless the action is brought before 6 months have elapsed from the time when the holder of the authorisation was informed of the identity of the guilty party. If the injured party dies before this deadline expires, the person replacing him or her may in all cases bring a private action during the 3 months following the death, even though the deadline would otherwise have expired.][1]

□ If a private action does not result in a judgment on the demand for punishment, a new action may be initiated until the 6-month deadline defined above has expired. In addition, a private action may at all times …[1] be brought during the 3 months following the spoilage of a case.

[1] *L. 88/2008, 234. gr.*

■ **Art. 30** …[1]

[1] *L. 19/1991, 194. gr.*

Chapter V. Punishments.

■ **Art. 31** [Punishments under this Act consist of imprisonment and fines.

□ Imprisonment shall be specified in days, months or years. A day shall mean 24

hours, a month 30 days and a year 360 days.][1)]

[1)] *L. 82/1998, 3. gr.*

■ **Art. 32** …[1)]

[1)] *L. 82/1998, 4. gr.*

■ **Art. 33** …[1)]

[1)] *L. 48/1988, 31. gr.*

■ **Art. 34** Imprisonment may be imposed for life or for a certain period not shorter than 30 days and not longer than 16 years.

□ Where imprisonment is provided for this refers to imprisonment for a certain period, unless otherwise expressly stipulated.

■ **Arts. 35–39** …[1)]

[1)] *L. 48/1988, 31. gr.*

■ **Arts. 40–42** …[1)]

[1)] *L. 49/2005, 82. gr.*

■ **Art. 43** …[1)]

[1)] *L. 48/1988, 31. gr.*

■ **Art 44** …[1)]

[1)] *L. 82/1998, 7. gr.*

■ **Arts. 45–48** …[1)]

[1)] *L. 48/1988, 31. gr.*

■ **Art. 49** [Fines are made over to the Treasury, unless other provisions are made in law.

□ Fines may be imposed in addition to [the imprisonment],[1)] prescribed for an offence when the accused acquired financial gains for himself/herself through the offence or this was the intention.][2)]

[1)] *L. 82/1998, 8. gr.* [2)] *L. 101/1976, 4. gr.*

■ **Art. 50** …[1)]

[1)] *L. 39/2000, 2. gr.*

■ **Art. 51** [[When the amount of a fine is determined, consideration shall be given, as appropriate, to the accused's income and assets, financial standing, obligations towards dependents and other factors affecting his or her ability to pay and to the financial gain or saving that resulted from, or was intended to result from, the offence.][1)]

□ Decisions on an alternative punishment in lieu of fines (*cf.* Art. 54) shall be without regard to the consideration of the accused's ability to pay referred to in the first paragraph.][2)]

[1)] *L. 140/1998, 2. gr.* [2)] *L. 101/1976, 6. gr.*

■ **Art. 52** The period allowed for the payment of a fine, not however exceeding 6 months, shall be stated in the judgment, settlement or court ruling.

☐ …[1]

[1] *L. 49/2005, 82. gr.*

■ **Art. 53** [If a fine is not paid, it shall be replaced by …[1] imprisonment, unless the conduct was not culpable, in which case alternative punishment shall not be determined. [If a legal person is fined, alternative punishment shall not be determined.][2]][3]

[1] *L. 82/1998, 9. gr.* [2] *L. 140/1998, 4. gr.* [3] *L. 101/1976, 7. gr.*

■ **Art. 54** [When a fine is specified, the court shall, in its judgment, ruling or settlement, determine the length of the alternative punishment, which shall be not less than 2 days and not more than 1 year.][1]

☐ If part of a fine has been paid, the [commissioner of police][2] who is responsible for enforcing the judgment imposing the fine shall determine a corresponding shortening of the imprisonment period; this shall be done in such a way that it will not be shorter than the minimum stated above, with a full day served in prison for a fine amount corresponding to part of a day.

☐ [… [1]

☐ [Time served in prison in lieu of fines of up to ISK 300,000 which are not imposed by the courts and which the offender has accepted in written agreements with a commissioner of police [or police officer],[3] shall be according to the following table.

Fine	**Alternative (imprisonment)**
ISK 0–29,999	2 days
ISK 30,000–59,999	4 days
ISK 60,000–89,999	6 days
ISK 90,000–119,999	8 days
ISK 120,000–149,999	10 days
ISK 150,000–179,999	12 days
ISK 180,000–209,999	14 days
ISK 210,000–239,999	16 days
ISK 240,000–269,999	18 days
ISK 270,000–300,000	20 days][4]

☐ The legal basis of the alternative punishment and the length [of the imprisonment term][1] shall be stated in a settlement with the commissioner of police and the offender shall accept the alternative punishment, and other penalties, in writing.][5]

[1] *L. 82/1998, 10. gr.* [2] *L. 92/1991, 23. gr.* [3] *L. 81/2005, 7. gr.* [4] *L. 21/2005, 1. gr.* [5] *L. 57/1997, 2. gr.*

■ **Art. 55** [Terms of imprisonment shall be served in lieu of fines and other

obligatory payments which are required by law and are determined in ways other than provided for in Article 54.

☐ Prison terms shall be served in lieu of *per diem* fines and the district commissioner shall determine their length. The provisions of the Enforcement Measures Act on the right of appeal to district courts against district commissioners' decisions on the execution of enforcement measures shall apply regarding the right to appeal to the courts against these decisions.

☐ Lengths of prison terms to be served in lieu of fines and payments under this Article shall be determined as not less than 2 days and not longer than 1 year. If part of a fine has been paid, the length of the prison term shall be correspondingly reduced; this shall be done in such a way that it will not shorter than 2 days. A full day shall be served in prison in lieu of a debt corresponding to a part of a day.][1]

[1] *L. 82/1998, 11. gr.*

Chapter VI. [Conditional deferment of indictment and conditional sentences.][1]

[1] *L. 22/1955, 2. gr.*

■ **Art. 56** [When a person has confessed to an offence, the [prosecutor][1] may defer for a specific period an indictment for punishment on account of it as follows.

1. On account of offences committed by young people aged 15–21 years.
2. When the defendant's condition is such that supervision or other measures under the third paragraph of Article 57 may be considered more likely than punishment to produce results, providing that the offence is not of such a nature that the public interest demands prosecution.

☐ The period of suspension may not be shorter than 1 year or longer than 5 years. In general, it shall be determined as 2–3 years. [The prosecutor][1] shall specify in each individual case when the period begins.

☐ When an indictment is deferred, the conditions enumerated in the third paragraph of Article 57 may be imposed on the person as considered appropriate. These conditions may be changed during the suspension period; this authorisation shall include a lengthening of the period, though not to a total of more than 5 years.

☐ [The party's case may be reopened if, before the end of the suspension period, a police investigation is initiated in which he or she is suspected of having committed a new offence during the suspension period or prior to the suspension, and also if he or she violates, in substantial aspects, the conditions imposed.][2]

☐ When [an investigator][3] considers that an indictment may be deferred under this Article, he or she shall refer the matter to the [prosecutor][1] with his or her proposals.

☐ When an indictment is deferred under the provisions of this Article, the [prosecutor][1] shall explain the conditions to the person in detail and make him or

her aware of the consequences of violating them.][4]

[1] *L. 84/1996, 12. gr.* [2] *L. 24/1999, 4. gr.* [3] *L. 19/1991, 195. gr.* [4] *L. 22/1955, 3. gr.*

■ **Art. 57** [It may be decided in a judgment to suspend the following for a specific length of time, subject to conditions.

a. Determination of punishment.

b. Execution of punishment.

□ The suspension period may not be shorter than one year or longer than 5 years. In general, it shall be determined as 2–3 years. The beginning of the suspension period shall be determined in the judgment in each individual case.

□ Deferment shall be subject to the condition that the party does not commit a new offence during the suspension period (*cf.* Article 60). Deferment may also be made subject to the following conditions.

1. That the party will be under supervision by specific persons, or a society or institution, during the suspension period. The party shall generally be under such supervision if he or she is set conditions under items 2-5 below.

2. That the party will obey the supervisor's instructions regarding place of residence, education, employment, contact with other persons and leisure activities.

3. That the party will not consume alcohol or narcotics during the suspension period.

4. That the party agree to be placed in a home for a specific period, if this is thought necessary, of up to 18 months when it is necessary to break him or her of the habit of abusing alcohol or narcotics, and otherwise for up to 1 year.

5. That the party accept restrictions on the use of his or her income or other matters relating to his or her financial standing.

6. That the party pay compensation, in accordance with his or her ability, for damage caused by his or her offence.

□ . . .[1]

□ The judge shall explain the conditions to the convicted person in detail and make him or her aware of the consequences of violating them. [If the convicted person is not present when the district court judgment is delivered, the judge may commission the police with explaining the conditions to him or her, and the consequences of violating them, as soon as the judgment is published.][2]][3]

[1] *L. 101/1976, 8. gr.* [2] *L. 39/2000, 3. gr.* [3] *L. 22/1955, 4. gr.*

■ **[Art. 57 a** [It may be decided in a judgment that up to 3 months of a prison sentence are to be non-suspended [i.e. served], the remainder being suspended.][1]

□ A fine may be imposed in the judgment in connection with a conditional sentence, even though a fine is not specified as the punishment for the offence being judged.][2]

[1] *L. 82/1998, 12. gr.* [2] *L. 101/1976, 9. gr.*

■ **Art. 58** …[1)]

[1)] *L. 49/2005, 82. gr.*

■ **Art. 59** [[If a party violates, in substantial aspects, the conditions set or instructions given under items 1-6 of the third paragraph of Article 57, the prosecutor may demand that the judge reopen the case, providing that the suspension period has not ended when the police begin their investigation of the violation of the condition by the person concerned.][1)]

☐ If the person does not admit to having violated conditions, or considers that he or she was unable to comply with them for reasons for which he or she cannot be held responsible, he or she may demand a ruling on this point by a judge. …[2)]

☐ Even if conditions have been violated, the judge may decide in a ruling that the suspension is to remain in force, with amendments to the conditions as appropriate, including the length of the suspension, providing the maximum specified in the second paragraph of Article 57 is observed. …[2)]

☐ If the punishment has not previously been decided, the judge may decide it, with or without conditions.

☐ If the punishment has previously been specified in a judgment, the judge shall then decide on execution of the sentence if no suspension is granted under the third paragraph of this Article.][3)]

☐ [Procedure in cases under this Article shall be in accordance with the Code of Criminal Procedure.][2)]

[1)] *L. 24/1999, 6. gr.* [2)] *L. 88/2008, 234. gr.* [3)] *L. 22/1955, 6. gr.*

■ **Art. 60** [[If the police begin an investigation against a person as a defendant before the end of the suspension period, the courts may then impose a separate unconditional sentence for that offence while allowing the conditional sentence to stand.][1)]. This may be done particularly when the new offence was not committed on purpose or when it is punishable by a fine only. Alternatively, the judge may examine both cases and judge them jointly. Such a sentence may be suspended. If punishment is imposed, it shall be specified in accordance with the rules of Article 77 if the new offence was committed after delivery of the district court judgment in the original case, and according to the rules of Article 78 if the new offence was committed earlier.][2)]

[1)] *L. 24/1999, 7. gr.* [2)] *L. 22/1955, 7. gr.*

■ **Art. 61** [Where no punishment can be imposed, or when it is cancelled due to the provisions of this Chapter, the judgment shall not have an iterative effect.

☐ …[1)]][2)]

[1)] *L. 17/1962, 5. gr.* [2)] *L. 22/1955, 8. gr.*

Chapter VII. Security measures, deprivation of civil rights and confiscation of

assets.

■ **Art. 62** If a person is acquitted under Article 15, or the conclusion of a judgment is, under Article 16, that punishment would serve no purpose, it may then be determined in a judgment, if it is considered necessary in terms of legal certainty, that measures are to be taken to prevent the person constituting a hazard. If it may be considered that milder measures, such as bail, a prohibition on being in certain places or the deprivation of legal competence would not be of any use, it may be decided that the person be placed in an appropriate home. The Supreme Court shall then appoint a supervisor for the person who shall monitor to ensure that his or her stay in the home shall not last longer than is necessary. When there is considered to be reason, the [minister][1] shall seek a ruling from the district court in the area where the home is located as to whether the aforesaid measures are considered as still being necessary, providing that the opinion of a physician has been sought. In addition, when a year has elapsed since delivery of the judgment or the last court ruling, or earlier if the [minister][1] approves, the supervisor may demand that the case be submitted anew for a ruling by the court referred to above. [Procedure in cases under this Article shall be in accordance with the Code of Criminal Procedure.][2]

[1] *L. 162/2010, 88. gr.* [2] *L. 88/2008, 234. gr.*

■ **Art. 63** If a person's condition has been as described in Article 15 or Article 16 over a long period after he or she has committed a punishable offence but before a final judgment has been delivered in his or her case, the court may then decide whether punishment is to be imposed or should be waived. If it is considered that the conditions of Article 62 are met, it may be decided in the judgment that the measures taken under that Article are to be applied instead of punishment, or until it is considered possible to execute punishment.

■ **Art. 64** . . .[1]

[1] *L. 31/1961, 4. gr.*

■ **Art. 65** [If it is considered evident from the facts of the case, and after the opinion of a physician has been sought, that an offender who has committed an offence under the influence of alcohol is not capable of controlling his or her craving for alcohol, it may be determined in a judgment that he or she is to be placed in an appropriate home for treatment.][1] In such a case, the judgment shall provide for placement in the home for up to 18 months or, in the case of a repeated offence, for up to 3 years. [The minister][2] shall decide, in accordance with the proposals of the governing board of the home and the physician involved, whether the person may be released from the home before the maximum period stated above has passed, because he or she may be regarded as cured.

[1] *L. 31/1961, 5. gr.* [2] *L. 162/2010, 88. gr.*

■ **Art. 66** If anyone vows to harm another person or threatens another person with death, arson or other mischief, and punishment either cannot be applied or is considered not to provide adequate security, the prosecution may take steps, either at the request of the person concerned or without such request, if it considers it necessary in view of legal certainty, to have a court ruling delivered as to whether measures are to be taken to prevent the threat from being carried out, including whether the person making the threat is to pay bail or should be taken into custody. A court may rescind such measures if they are no longer considered necessary due to changed circumstances.

□ If the prosecution so wishes, the case may be referred at any time for a new ruling by a court. The person against whom the ruling is directed may in all cases also demand, when 6 months have passed since the sentence was passed or the last ruling was delivered, and earlier if the prosecution gives its consent, that the matter be referred anew to a court on official instigation.

□ [Procedure in cases under this Article shall be in accordance with the Code of Criminal Procedure.][1)]

[1)] *L. 88/2008, 234. gr.*

■ **Art. 67** If a person is sentenced to [prison][1)] and it can be considered highly likely, in terms of the nature of the offence and the person's mental condition, and also in view of his or her previous conduct, that he or she will offend as a matter of habit or as a means of earning his or her living, and is therefore dangerous to his or her environment, it may be decided, either in the sentence or later in a special case brought at the instigation of the prosecution, that security measures in accordance with Article 66 are to be taken after the sentence has been served. Such measures may be lifted in accordance with the same rules as are laid down in Article 66.

[1)] *L. 82/1998, 13. gr.*

■ **Art. 68** [If a civil servant commits a criminal offence, he or she may, in a [criminal case][1)] brought against him or her, be deprived of the right to pursue his or her position if he or she is no longer considered worthy or competent to do so.

□ A person found guilty of an offence may then, in [a criminal case][1)] brought against him or her, be deprived of the right he or she has acquired to engage in an activity for which an official licence, authorisation in law, appointment or the passing of an examination is required, providing the offence indicates that there is a substantial risk that the convicted person will commit an offence in his or her position or activity. In cases of gross violation, the person may also be deprived of the right described above if he or she is no longer regarded as worthy to pursue the position or exercise the entitlement.

□ A person may be deprived of the rights described in the second paragraph for a specific period of up to five years or for life. [The same applies to legal persons,

though permanent deprivation of rights shall only be determined in the case of gross offences.][2)]

☐ Special provisions in law on the deprivation of the rights referred to in the first and second paragraphs shall retain their validity.

☐ Deprivation of rights is considered as taking effect from the time specified in the judgment, and at the latest from the time of publication of final judgment.

☐ If an Icelandic citizen or a person who is resident in Iceland is deprived of rights abroad under a judgment in connection with a criminal act, the prosecution may then bring [a criminal case][1)] against him or her to effect a deprivation of rights. The same applies if a person has been sentenced to a punishment abroad, even though deprivation of rights was not part of the judgment. Decisions on deprivation of rights as provided for above shall be subject to Icelandic law.][3)]

[1)] *L. 88/2008, 234. gr.* [2)] *L. 5/2013, 3. gr.* [3)] *L. 31/1961, 6. gr.*

■ **[Art. 68 a** If someone is refused an official position or an official licence to pursue employment because of having committed a criminal offence, the refusal by the authorities may be referred to the courts according to the rules on [criminal][1)] procedure. …[1)]

☐ If someone is permanently deprived of rights under a judgment in a [criminal case],[1)] then when 5 years have passed since the judgment was delivered, the courts may be approached in accordance with the rules on criminal procedure as to whether the deprivation of rights should be cancelled. …[1)] Special provisions in law regarding the cancellation of a deprivation of rights shall retain their validity.][2)]

[1)] *L. 88/2008, 234. gr.* [2)] *L. 31/1961, 7. gr.*

[Chapter VII A. Confiscation.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69** Gains derived from an offence, or a sum of money partly or fully equivalent to them, may be confiscated. The same applies to items that are purchased with the gains or that have replaced them. Where it is not possible to prove in detail the monetary value of the gains, it may be estimated.

☐ Costs incurred in the commission of an offence are not deducted from the monetary amount of the gains.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69 a** The following may be confiscated by a court judgment:

1. Items that have been used, or are intended to be used, in the commission of an offence, or regarding which there is thought to be a danger that they will be used for this purpose.
2. Items that have come into being through an offence.
3. Items that are connected in another manner with the commission of an offence.

☐ Instead of the confiscation of items as provided for in the first paragraph, a sum of money partly or fully equivalent to them may be confiscated.
☐ If a company is dissolved by a court judgment, its assets, books, documents and other possessions may be confiscated.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69 b** Items of value belonging to an individual who has been convicted of an offence may be confiscated, in part or in their entirety, when:
1. the offence is of a nature to entail substantial gains and
2. it is punishable by at least 6 year's imprisonment.

☐ Subject to the same conditions as are stated in the first paragraph, items of value acquired by the current or former spouse of the offender, or by his/her cohabiting partner, may be confiscated, in part or in their entirety, unless:
1. the items of value were acquired more than 5 years prior to the commission of the offence or
2. the individuals in question were not married or cohabiting at the time when the items of value were acquired.

☐ Subject to the same conditions as are stated in the first paragraph, items of value that have come into the possession of a legal person in which the individual in question, alone or together with his or her closest relations, is in a controlling position, may be confiscated, in part or in their entirety. The same applies if a substantial part of the revenues of the legal person are channelled to the individual in question. However, confiscation shall not be permitted if the items of value were acquired by the legal person more than 5 years prior to the commission of the offence.
☐ If the person in question demonstrates that the items of value were acquired in a lawful manner, they shall not be confiscated.
☐ Instead of the confiscation of items as provided for in the first, second and third paragraphs, a sum of money partly or fully equivalent to them may be confiscated.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69 c** If gains derived from an offence have been mixed with possessions that were acquired lawfully, those possessions may be confiscated to the extent of the estimated value of the gains that were mixed with them.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69 d** Confiscation according to Article 69 may be directed at any person who has derived gains from an offence.
☐ Confiscation according to the first and second paragraphs of Article 69a may be directed at the person who has committed the offence and any person for whom he or she worked.

☐ Liens on items that are confiscated may only be lifted in accordance with the decision of a court in cases where the lien-holder is not in good faith.
☐ If any of the persons named in the first and second paragraphs takes measures, after the commission of the offence, regarding ownership or lien rights on gains or items that are to be confiscated, the gains or items may be confiscated from a third party if he or she was aware of the connection between the gains or items and the offence or has demonstrated gross negligence in that regard. The same shall apply in the case of a gift.
☐ Confiscation may not be effected if the person concerned is deceased, except in the case of confiscation under Article 69.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69 e** If any person suffers loss or damage when the offence is committed, it may be determined in the judgment that the value of the items confiscated is to be used to pay a compensation claim from the person concerned.
☐ Where the person convicted of the offence pays compensation to the offended party in such a case following the delivery of the judgment, then the amount to be confiscated shall be correspondingly reduced.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69 f** Where confiscation of gains, objects, items, valuables or possessions other than the offender is demanded, the demand shall be directed towards the owner or the lien-holder.
☐ Where the identity of the owner or lien-holder is not known, or where his or her abode in Iceland is not known, the court may then apply confiscation in an action against the offender.
☐ Where the identity of the offender, or that of the lien-holder, is not known, confiscation may be effected by a court judgment without any person being indicted.
☐ Where items of value have been seized in the course of the investigation of a case and the identity of their owner is not known and no one lays a lawful claim to them within 5 years, they may then be confiscated.][1)]

[1)] *L. 149/2009, 2. gr.*

■ **[Art. 69 g** That which is confiscated shall be the possession of the Treasury unless other provisions are expressly made in law. This shall not apply, however, when the equivalent value is used to pay a compensation claim by a person who suffered loss or injury when the offence was committed (*cf.* Article 69 e).
☐ [The ministry][1)] may decide that that which is confiscated is to be divided between the Icelandic state and another state or states. When such a decision is taken, it shall be based on consideration including the expenses resulting from the case in the various states, whether loss or damage was suffered there due to the case

and the provenance of the items of value confiscated. Division under this paragraph may not result in reductions of compensation payments to injured parties.][2)]

[1)] *L. 162/2010, 88. gr.* [2)] *L. 149/2009, 2. gr.*

Chapter VIII. Factors influencing the severity of punishment.

■ **Art. 70** When punishment is decided, the following factors, in particular, are to be considered.

1. The importance of the object of the offence.
2. The extent of the damage or loss caused.
3. How much of a threat the action posed, particularly when consideration is given to when, where and how it was carried out.
4. The age of the perpetrator.
5. The perpetrator's former conduct.
6. The strength and degree of the perpetrator's resolve.
7. The perpetrator's motive.
8. The perpetrator's conduct after committing the offence.

[9. Whether the perpetrator gave information on the participation by other persons in the offence.][1)]

□ Where more than one person collaborated in the commission of the offence, this shall normally be considered as aggravating the punishment.

□ [If the action was directed against a man, woman or child closely related to the perpetrator, and the relationship between them is considered as having aggravated the seriousness of the offence, this shall normally be considered as aggravating the punishment.][2)]

[1)] *L. 39/2000, 4. gr.* [2)] *L. 27/2006, 1. gr.*

■ **Art. 71** When the law provides for, or permits, a more severe punishment or other sanction in the event of a repeated offence, such provision may not be applied unless, prior to the commission of the latter offence, the offender was convicted of an offence or punished in Iceland for an offence which has an iterative effect on the latter offence, or for an attempted offence or acting as an accessory to such an offence, and in addition must have attained the age of 18 when he or she committed the former offence.

□ The courts may allow sentences passed abroad to have an iterative effect as if they had been passed in Iceland.

□ Iterative effects shall cease to apply when 5 years have elapsed since the perpetrator served his or her former sentence, or since it expired or was lifted, before the commission of the latter offence. If the former punishment took the form of a fine, the period shall be counted as running from the date on which final judgment was delivered or the perpetrator agreed to pay the fine.

■ **Art. 72** Where a person has become an habitual offender, committing one or more types of crime, or commits crimes on a professional basis, punishment may be increased by the addition of up to one half. If this is repeated, the punishment may be doubled.

■ **Art. 73** Where prisoners serving sentences or held in remand for other reasons commit offences against Articles 106., …[1] 126, 127, 164, 211, 217, 218, 225, 226, 233 or the second paragraph of Article 257, then when punishment is determined, the maximum prescribed under the aforementioned provisions may be exceeded, though not beyond a doubling of the sentence. In such cases, more lenient punishment than [imprisonment].[2] may not be imposed. …[2]

□ The provisions of the first sentence of the preceding paragraph may also be applied when the offence mentioned there is committed by a former prison convict against the superiors or staff of the penal institution where he or she was held, or when the offence is directed against the institution or its property, and also when a former prison convict commits an offence against the provisions of Article 111 involving prisoners serving sentences in the penal institution in which he or she was held.

□ If a person who has been sentenced to life imprisonment and has not been pardoned commits a new offence inside or outside the prison, it shall be determined in a judgment what punishment would have been imposed if the previous punishment had not been life imprisonment. In addition, the court may impose a sanction under Article 47, even though the sentence period under item 3 of that article may be doubled.

[1] *L. 71/1995, 1. gr.* [2] *L. 82/1998, 14. gr.*

■ **Art. 74** The punishment prescribed in law for an offence may be reduced to below the minimum specified under the following circumstances.

1. When someone has exceeded the limits of an emergency defence measure or emergency action.

2. When the offence was committed by a person who at the time had not reached the age of 18 and it may be argued that in view of his or her youth, full punishment would not be necessary or would be harmful. In no case may the punishment imposed for offences committed by persons under this age exceed 8 years' imprisonment.

3. If the perpetrator believed that the deed he or she committed did not constitute a violation of the law, this being either due to excusable ignorance of the law or a misunderstanding of the legal provisions prohibiting the commission of the action.

4. Where someone has committed an offence in extreme anger or in great mental agitation aroused by the offended party through an unlawful attack or grave insult.

5. Where someone is persuaded to commit an offence due to dependence on another person.

6. Where someone is compelled to commit an offence, though the compulsion is not of such a nature as to make the action completely non-punishable.

7. Where the perpetrator, acting on his or her own initiative, averted the danger that it involved.

8. Where the perpetrator, acting on his or her own initiative, made full compensation for the damage or loss that resulted from it, and also where he or she made great efforts to prevent the harmful consequences of the offence, or made all efforts within his or her power to remedy the damage or loss.

9. Where the perpetrator, acting on his or her own initiative, reports the offence and gives a full account of all the circumstances relating to it.

□ Under the circumstances covered in items 1-8 it may be decided that punishment is to be waived in full.

■ **Art. 75** If a person commits an offence in extreme mental excitement, or due to an otherwise temporary state of mental imbalance, or if other circumstances are such that the action is not considered as punishable as is generally the case with offences of the same type, then punishment may be reduced and even, if the offence is not punishable by a more severe punishment than [up to 1 year's imprisonment],[1)] waived. If the perpetrator put himself or herself into the condition described through the consumption of alcohol, the application of this provision may only be considered if there are extenuating circumstances and the perpetrator has not previously been convicted of an offence of the same, or similar, type or of an offence against the first or second paragraph of Article 123.

□ . . .[2)]

[1)] *L. 82/1998, 15. gr.* [2)] *L. 22/1955, 9. gr.*

■ **Art. 76** Where the offender was held in detention and this is not on account of his or her conduct during the prosecution of the case or its investigation, it shall be decided in the judgment that all or part of the detention period shall take the place of punishment..

■ **Art. 77** If, while the same case is being heard, a person is found guilty of the commission of more than one offence, punishment for them shall be determined jointly in one sentence in such a way that they will both or all be covered; if life imprisonment is the punishment prescribed for the most serious offence then no further punishments shall be imposed for the others.

□ Punishment shall normally be determined within the limits laid down in the penal provision covering the offences; if they are not all covered by the same penal provision, then within the limits laid down by the penal provision specifying the most serious punishment. Nevertheless, according to the circumstances of the case,

the punishment may be aggravated by the addition of up to one half of it. However, the courts may, in cases when a person is sentenced at the same time for a serious offence and another which is relatively trivial, apply even the lightest punishment prescribed for the more serious offence.

☐ …[1)]

☐ If sentence is passed at the same time covering two or more offences, one or some of which are punishable by [imprisonment],[1)] and the others by fines, then the court may impose both fines and [imprisonment].[1)]

[1)] *L. 82/1998, 16. gr.*

■ **Art. 78** If someone who has been sentenced for one or more offences is convicted of having committed other offences before being sentenced, an additional punishment shall be imposed corresponding to the aggravation of punishment that would have been imposed if sentence had been passed in respect of all the offences in the former case. [Sentences of less than 30 days' imprisonment may then be imposed.][1)]

☐ …[2)]

[1)] *L. 82/1998, 17. gr.* [2)] *L. 48/1988, 31. gr.*

■ **Art. 79** [Where the law provides for additional punishment for an offence, the limits set in Article 34 shall not exclude the possibility of passing a sentence of up to 20 years' imprisonment.][1)]

[1)] *L. 82/1998, 18. gr.*

Chapter IX. [Limitation of criminal liability [prescription], cancellation of sanctions and restoration of civil rights.][1)]

[1)] *L. 20/1981, 3. gr.*

■ **Art. 80** [Criminal liability shall be subject to time limits according to Articles 81 and 82. This shall also apply to offences defined in separate criminal statutes unless other provisions are made in them.][1)]

[1)] *L. 20/1981, 4. gr.*

■ **Art. 81** [Criminal liability shall expire after the following periods:

1. Two years, when the punishment prescribed for the offence does not exceed 1 year's imprisonment or when the punishment incurred does not exceed a fine.

2. Five years, when the punishment prescribed for the offence does not exceed 4 years' imprisonment.

3. Ten years, when the punishment prescribed for the offence does not exceed 4 years' imprisonment.

4. [Fifteen years, when the most severe punishment prescribed for the offence exceeds 10 years' imprisonment but is still a definite period.][1)]

☐ [Without prejudice to the provisions of the first paragraph, criminal liability for

offences under Article 194, the first paragraph of Article 200 and the first paragraph of Article 201 does not expire when the offence was committed against a child under the age of 18 years. [The same applies to offences under the first paragraph of Article 202.][2)]][3)]

☐ [The period of prescription applying to offences involving evasion of the payment of customs duties, taxes or other public levies shall at no time be less than 5 years.][1)]

☐ Where a person is guilty of conduct that is punishable under more than one criminal provision, the period of prescription applying to the offences shall be based on the provision specifying the most severe punishment.][4)]

☐ [The period of prescription applying to criminal liability of legal persons is 5 years.][5)]

[1)] *L. 63/1998, 1. gr.* [2)] *L. 37/2013, 1. gr.* [3)] *L. 61/2007, 1. gr.* [4)] *L. 20/1981, 5. gr.* [5)] *L. 39/2000, 5. gr.*

■ **Art. 82** [The period of prescription shall run from the date on which the punishable action or punishable failure to act ended. [The period of prescription applying to offences under Article 197, Article 198, Article 199, the second and third paragraphs of Article 200, the second paragraph of Article 201, [the second, third and fourth paragraphs of Article 202],[1)] [the second and fourth paragraphs of Article 206, the first paragraph of Article 210 b, Article 218 a and item 2 of the first paragraph of Article 227 a][2)] shall only run from the day on which the offended party attains the age of 18 years.][3)]

☐ Where punishability depends, partly or entirely, on the conduct having led to a certain result, then the period of prescription shall only run from the time when this result appears. The same shall apply if the punishability depends on the occurrence of a certain event after the conduct is discontinued, in which case the period of prescription shall only begin to run when that event has occurred.

☐ If a punishable offence is committed on board an Icelandic vessel or aircraft outside Icelandic [jurisdiction][4)], the period of prescription shall only begin when the vessel or aircraft has arrived in an Icelandic port. The period shall, however, begin no later than 1 year after the commission of the offence.

☐ [The period of prescription shall be suspended when a criminal investigator commences investigation against a suspected person. In cases which the police may, according to law, conclude by settlement, the period of prescription shall be suspended when the police charge the person with the offence and notify him/her of an offer of settlement. In other cases where an administrative authority is authorized by law to determine the penalty for an offence, the period of prescription shall be suspended when the administrative authority charges the person with such an offence. [Where the period of prescription is suspended vis-à-vis the

representative of a legal person, the employee of a legal person or another person working under the auspices of the legal person, the period shall also be suspended vis-à-vis the legal person. The suspension of a period of prescription vis-à-vis a legal person shall not lead to suspension of the period of prescription vis-à-vis a representative or employee of the legal person, or of others under its auspices.][6)]4)

☐ [An investigation as provided for in the para. 4 shall not suspend the period of prescription if the investigator discontinues the investigation, the prosecutor decides not to [institute criminal proceedings]5) against the accused or the prosecutor revokes the indictment. Also, if the investigation is suspended for an indefinite period, this shall not suspend the period of prescription. If a criminal investigation is suspended because the accused person has evaded investigation, the period of prescription will be suspended by the investigation, but the time during which the investigation was in progress shall not be counted as part of the period of prescription. …5)]4)

☐ When criminal liability has expired in accordance with the foregoing, punishment for the conduct may not be imposed and nor may the sanctions prescribed in Articles 62-67.The same applies to the confiscation of property and deprivation of rights and remedies prescribed under the second paragraph of Article 148 and the second paragraph of Article 241. The period of prescription as regards confiscation shall not be shorter than 5 years, and 10 years in the case of confiscation under …7) the first paragraph of Article 69 and comparable provisions of separate criminal statutes unless other provisions are made in them.]8)

1) *L. 37/2013, 2. gr.* 2) *L. 58/2012, 3. gr.* 3) *L. 61/2007, 2. gr. This provision also applies to offences committed prior to the commencement of l. 61/2007, providing that the period of prescription under that Act has not started to run, cf. Article 14 of the same Act.* 4) *L. 63/1998, 2. gr.* 5) *L. 88/2008, 234. gr.* 6) *L. 140/1998, 5. gr.* 7) *L. 149/2009, 3. gr.* 8) *L. 20/1981, 6. gr.*

■ **Art. 83** [[Imprisonment]1) or commitment to an institution according to a court judgment shall be cancelled if its enforcement has not begun within the following periods:

1. Five years if the punishment consists of …1) imprisonment of up to 1 year or if commitment to an institution has been ordered under Article 65.

2. Ten years if the punishment consists of imprisonment of more than 1 year and up to 4 years; this shall also apply to sanctions imposed by a judgment under Articles 62, 66 and 67.

3. Fifteen years if the punishment consists of imprisonment of more than 4 years, to a maximum of 8 years.

4. Twenty years, if a prison term for a definite length of time longer than 8 years was imposed by a judgment.

☐ The periods of prescription according to the foregoing begin when it is possible

to enforce the sentence according to the general provisions of law.
☐ A period of deferment of enforcement of punishment under a suspended sentence shall not be counted as part of the period of prescription; nor shall time during which the party is held in [prison][1] or committed to an institution under another judgment. The same applies to a conditional pardon; however, the period of prescription shall not be extended by more than the period of suspension.
☐ The period of prescription is suspended when enforcement of a sentence begins.
☐ When a prisoner, having served part of the [prison term][1] or period of committal to an institution, is grated a probationary release or conditional pardon and then violates the terms of probation and it is decided that he or she is to serve the remainder of the [prison term][1] or period of committal to an institution, the period of prescription regarding the remainder of the sentence and other sanctions imposed in the judgment shall then be counted as running from the time when such a decision is taken. If enforcement of sentence or other sanctions under the first paragraph is suspended for reasons other than those stated in this paragraph, the period of prescription shall be counted as running from the time when the suspension occurred.][2]

[1] *L. 82/1998, 19. gr.* [2] *L. 20/1981, 7. gr.*

■ **[Art. 83 a** [A fine according to a judgment, ruling or settlement shall not be enforceable when 3 years have elapsed since the date the judgment, ruling or settlement first became enforceable. If the fine amounts to ISK 60,000 or more, however, this period shall, be 5 years.][1]
☐ [If the payment of fines is secured by distraint or another similar means within periods of prescription under the first paragraph, the periods shall be extended by 2 years.][1]
☐ A punishment imposed as an alternative to a fine under Article 53 shall be dropped in accordance with the provisions of [the first and second paragraphs],[1] unless enforcement is begun within the time limits provided for there.
☐ Confiscation according to a judgment, ruling or settlement shall be annulled when 5 years have been passed from the time when it became enforceable. A period of prescription of 10 years may, however, be determined in a judgment. The provisions of the second paragraph also apply to confiscation.
☐ The period during which enforcement is suspended under the terms of a suspended sentence or conditional pardon shall not be counted as part of the period of prescription.][2]

[1] *L. 63/1998, 3. gr.* [2] *L. 20/1981, 8. gr.*

■ **[Art. 83 b** A judgment, decree or settlement providing for punishment or other sanctions under Chapter VII cannot be enforced following the death of the convicted person (see, however, the second paragraph) unless provision is made to

the contrary in law.

☐ Where a judgment, ruling or settlement providing for confiscation has not been enforced in part or in full upon the death of a convicted person, the Director of Public Prosecutions may require a judge of the district court in the convicted person's last venue to make a ruling to the effect that the provisions on confiscation are to be enforced providing that the confiscation is due to gains by the convicted person derived from an offence or concerns items that came into being through an unlawful action. In such a case the judge may alter the provision on confiscation by substituting confiscation of a specific sum of money for confiscation of an item. [Procedure in cases covered by this paragraph shall be subject to the Code of Criminal Procedure.][1)]

☐ Provisions of judgments delivered under the second paragraph of Article 148 and the second paragraph of Article 241 may be enforced after the death of the person sentenced.][2)]

[1)] *L. 88/2008, 234. gr.* [2)] *L. 20/1981, 9. gr.*

■ **Art. 84** . . .[1)]

☐ When a person is sentenced for the first time for an offence entailing an abridgement of civil rights and the punishment is not in excess of 1 year's [imprisonment],[2)] he or she shall, when 5 years have elapsed from the time when the sentence was completed, became unenforceable due to prescription or was dropped, enjoy all the rights conferred by the restitution of civil rights, providing he or she has not been indicted during this period for an offence punishable by a sentence heavier than a fine.

[1)] *L. 22/1955, 9. gr.* [2)] *L. 82/1998, 20. gr.*

■ **Art. 85** When 2 years of the period specified in the second paragraph of Article 84 have elapsed, and providing that the other conditions laid down there are met, the [President][1)] may, if the sentenced person has behaved well during this period, grant him or her restitution of civil rights.

☐ [The President][1)] may also grant a person restitution of civil rights when at least 5 years have elapsed after the time when his or her sentence was completed, became unenforceable due to prescription or was dropped, providing that the applicant produces proof, which is considered valid, that his or her behaviour has been good during the period in question.

☐ [Under special circumstances, restitution of civil rights may be granted although the term of the sentence is as long as is specified in the second paragraph, even though the time that has elapsed is not longer than is required under the first paragraph.][2)]

[1)] *L. 100/1951, 4. gr.* [2)] *L. 36/1944, 1. gr.*

Chapter X. Treason.

■ **Art. 86** Any person found guilty of an act aimed at an attempt by means of force, threat of force, other compulsion or treachery to bring the Icelandic state or part of it under foreign control or else to take some part of the state out of its jurisdiction, shall be subject to imprisonment for no less than 4 years or for life.

■ **Art. 87** If a person establishes an alliance with the government of a foreign state for the purpose of engaging in hostile undertakings or hostilities against the Icelandic state or its allies without the act falling under Article 86, this will be punishable by imprisonment of not less than 2 years or for life. If this is done for the purpose of having a foreign state abridge the Icelandic state's right of self-determination in another manner, this will be punishable by imprisonment of up to 8 years.

■ **Art. 88** [Any person who publicly, in speech or in writing, recommends that a foreign state commence hostile undertakings against the Icelandic state, or interfere in its affairs, or who contributes towards this, and anyone who causes a danger of such interference through insults, physical assaults, damage to property or other actions which are likely to cause such a danger, shall be subjected to ... [1] up to 6 years' imprisonment. If the offence is considered extremely trivial, a fine may be imposed as a punishment.][2]

[1] *L. 82/1998, 21. gr.* [2] *L. 47/1941, 1. gr.*

■ **Art. 89** If during hostilities an Icelandic citizen carries arms against the Icelandic state or its allies, this shall be punishable by not less than 2 years' imprisonment.

□ The same punishment shall be applied to anyone who, during hostilities or when hostilities are imminent, gives the enemies of the Icelandic state assistance, in word or deed, or weakens the power of resistance of the Icelandic state or of its allies..

■ **Art. 90** If, during hostilities or when hostilities are imminent, a person violates an agreement or obligation concerning measures taken by the Icelandic state in connection with hostilities or the danger of hostilities, that person shall be subject to up to …[1] 3 years' imprisonment.

□ If a person has done this through gross negligence, he or she shall be punished by a fine or [up to 1 year's imprisonment].[1]

[1] *L. 82/1998, 22. gr.*

■ **Art. 91** Any person who announces, reports or in another manner discloses to unauthorised persons secret agreements, plans or resolutions by the state regarding matters on which its good standing or rights vis-à-vis other states depend, or which are of major financial or commercial significance for the Icelandic nation vis-à-vis other countries, shall be imprisoned for up to 16 years.

□ The same punishment shall be applied to any person who falsifies, renders useless or disposes of a document or other items on which the good standing of the state or its rights vis-à-vis other states depend.

☐ The same punishment shall furthermore be applied to any person who has been commissioned by the Icelandic state to negotiate or finalise a matter with another state if he or she fails to protect the interests of the Icelandic state in executing this commission.
☐ If offences described in the first and second paragraphs above are committed through negligence, the punishment shall take the form of ... [1] up to 3 years' imprisonment, or of a fine if there are special extenuating circumstances.

[1] *L. 82/1998, 23. gr.*

■ **Art. 92** Any person who announces, reports or in another manner discloses to unauthorised persons secret military defence measures that the Icelandic state has taken shall be subjected to …[1] up to 10 years' imprisonment, or to a fine if the offence is trivial.
☐ The same punishment shall be applied to any person who, intentionally or through negligence, jeopardizes the neutrality of the Icelandic state, assists a foreign state in abridging its neutrality or violates a prohibition which the state has made to protect its neutrality.

[1] *L. 82/1998, 24. gr.*

■ **Art. 93** If any person contributes to having spying for a foreign state or foreign political parties directed at any matter within the Icelandic state, or making it possible, directly or indirectly, this shall be punishable by …[1] up to 5 years' imprisonment.

[1] *L. 82/1998, 25. gr.*

■ **Art. 94** If an action for which punishment is prescribed in Chapter XXIII, XXIV or XXV of this Act is directed at the head of a foreign state, or its ambassadors to Iceland, the punishment prescribed for the offence may be increased by up to one half again.
■ **Art. 95** [Any person who publicly insults a foreign nation or foreign state, its supreme official, its head of state, its flag or other recognized national symbol, or the flag of the United Nations or the flag of the European Union, shall be subjected to a fine [up to 2 years' imprisonment. In cases of serious offences, the punishment shall take the form of up to 6 years' imprisonment.][1]][2]
☐ [The same punishment shall be applied to any person who publicly insults or otherwise utters abusive words or other insults, in word or deed, or makes defamatory insinuations regarding other employees of a foreign state who are present in Iceland.][3]
☐ [The same punishment shall be applied to any person who threatens or uses violence against diplomats of a foreign state in Iceland or forcibly enters or causes damage to embassy precincts, or who threatens to do so.][4]

[1] *L. 82/1998, 26. gr.* [2] *L. 101/1976, 10. gr.* [3] *L. 47/1941, 2. gr.* [4] *L. 56/2002, 1. gr.*

■ **Art. 96** …[1)]

[1)] *L. 82/1998, 27. gr.*

■ **Art. 97** Proceedings arising from offences covered by this Chapter shall only be instituted if [the minister][1)] so orders, and procedure shall in all cases be according to the rules on [criminal procedure].[2)]

[1)] *L. 162/2010, 88. gr.* [2)] *L. 88/2008, 234. gr.*

Chapter XI. Offences against the constitutional structure of the state and the supreme organs of government.

■ **Art. 98** Inciting or directing a rebellion with a view to changing the constitutional structure of the state shall be punishable by imprisonment of not less than 3 years, or for life.

□ Any person who participates in a rebellion of this type, and any person who is found guilty of an action aimed at changing the constitutional structure unlawfully shall be imprisoned for up to 8 years.

■ **Art. 99** Any action aimed at assassinating [the President][1)] or a person exercising [presidential powers][1)] shall be punishable by not less than 6 years' imprisonment.

[1)] *L. 100/1951, 1. gr.*

■ **Art. 100** Any person who attacks the Althingi in such a way as to pose a threat to its independence, issues an order aimed at doing so or obeys such an order shall be subjected to imprisonment of not less than 1 year; in the case of serious offences, the punishment may take the form of imprisonment for life.

□ The same punishment shall be applied to any person who offends in the same way against the [President][1)] or a person exercising [presidential powers][1)], the government ministries, the Court of Impeachment or the Supreme Court.

[1)] *L. 100/1951, 1. gr.*

■ **[Art. 100 a** [Punishment of up to lifelong imprisonment shall be imposed on any person committing one or more of the following acts of terrorism with the intention of causing the public serious fear or unlawfully compelling the Icelandic or foreign authorities, or international institutions, to take action or refrain from taking action with a view to weakening or damaging the constitutional structure or the political, economic or social basis of the state or international institution:][1)]

1. homicide under Article 211,
2. assault under Article 218,
3. deprivation of freedom under Article 226,
4. disturbing traffic safety under the first paragraph of Article 168, interfering with the operation of public transport vehicles, etc., under the first paragraph of Article 176 or causing large-scale damage to property under the second paragraph of Article 257, these offences being committed in such a way as to endanger human

life or cause great financial loss,

5. hijacking of an aircraft under the second paragraph of Article165 or attacking persons in an airport intended for international air traffic under the third paragraph of Article 165,

6. arson under the second paragraph of Article 164, causing an explosion, the dispersal of harmful gases, flooding, a shipwreck, a railway, automobile or aircraft accident, or accidents involving similar vehicles or means of transport under the first paragraph of Article 165; causing a general shortage of drinking water or introducing harmful substances into a water reservoir or water pipes under the first paragraph of Article 170, or introducing toxic or other hazardous substances into objects intended for sale or general use under the first paragraph of Article 171.

□ The same punishment shall be applied to any person who, with the same aims, threatens to commit the offences listed in the first paragraph.][2)]

[1)] *L. 149/2009, 4. gr.* [2)] *L. 99/2002, 2. gr.*

■ **[Art. 100 b** Any person who, directly or indirectly, supports a person, society or group which commits, or has the aim of committing, an act of terrorism under Article 100 a, by contributing funds or giving other financial assistance, providing or collecting funds or making funds accessible in another manner, shall be imprisoned for up to 10 years.][1)]

[1)] *L. 99/2002, 2. gr.*

■ **[Art. 100 c** Any person who, by assistance in word or deed, advocacy, encouragement or in another manner supports the punishable activities or common aims of a society or group that has committed one or more violations of Article 100 a or Article 100 b, and whose activities or aims involve the commission of one or more such violations, shall be imprisoned for up to 6 years.][1)]

[1)] *L. 99/2002, 2. gr.*

■ **Art. 101** If an action for which punishment is prescribed in Chapter XXIII, XXIV or XXV of this Act is directed at [the President][1)] or a person exercising [presidential powers][1)] and which is not covered by Article 99 or Article 100, the punishment prescribed for the offence may be increased, though not to more than double that which is prescribed. …[2)]

□ [If such an action is directed against the President's closest relatives in such a way as may be considered to be directed against his or her home, the punishment may be increased by the addition of up to one half again.][3)]

[1)] *L. 100/1951, 1. gr.* [2)] *L. 82/1998, 28. gr.* [3)] *L. 100/1951, 2. gr.*

■ **Art 102** Any person who seeks to obstruct [the election of a President],[1)] elections to the Althingi, local council elections or elections to other public positions, and any person who falsifies or invalidates the results of such an election, shall be subjected to up to 4 years' imprisonment.

□ [The same punishment][2] shall be imposed if an action such as that described above is directed at voting authorised by law on pubic matters.

[1] *L. 100/1951, 3. gr.* [2] *L. 82/1998, 29. gr.*

■ **Art. 103** Any person guilty of the following actions during the elections mentioned in the first paragraph of Article 102 shall be subjected to ... [1] up to 2 years' imprisonment, or to a fine if the offence is minor:

1. Obtaining, for himself or herself or others, an opportunity to participate unlawfully in voting.

2. Attempting, by means of unlawful compulsion, abridgement of freedom or abuse of a position of command, to have someone vote in a particular way, or not to vote.

3. Manages, by fraudulent measures, to have somebody not vote, even though they intended to do so, or to arrange things so that their vote will be invalid or have an effect other than that intended by the voter.

4. Pays, promises to pay or offers to pay someone money or some other gain with a view to having them vote in a particular way, or not vote.

5. Accepts, asks for or accepts a promise of money or other gain in order to vote in a particular way or not to vote.

[1] *L. 82/1998, 30. gr.*

■ **104. gr.** …[1]

[1] *L. 82/1998, 31. gr.*

■ **105. gr.** Proceedings arising from offences covered by Articles 99 and 101 shall only be instituted if [the minister][1] so orders, and procedure shall in all cases be according to the rules on [criminal procedure].[2]

[1] *L. 162/2010, 88. gr.* [2] *L. 88/2008, 234. gr.*

Chapter XII. Offences against the authorities.

■ **Art. 106.** Any person who attacks, with violence or threats of violence, a public employee who is engaged in his or her duties, or in connection with them, and also any person who similarly seeks to obstruct the performance of such duties or to force the employee to carry out some action in his or her official position or function, shall be subjected to …[1] up to 6 years' imprisonment. [If an offence under this paragraph is directed at a public employee who is legally authorised to use physical force, imprisonment of up to 8 years may be applied. .][2] [Fines may be applied in the case of minor offences.][3]

□ [Any person who in another manner obstructs someone with the powers of a police officer or customs official from performing his or her duties shall be fined or imprisoned for up to 2 years. Obstructing other public employees in a similar

manner shall be punishable by a fine or up to 1 year's imprisonment.][2]

☐ [If a person convicted of an offence against this Article has previously been punished under the Article, or has been punished for an offence otherwise involving intentional violence, the punishment may be increased by up to half.][2]

☐ [Those whom a judge or government official calls in to assist them in the performance of official duties shall be in the same position as public employees who are not legally authorised to use physical force.][2]

[1] *L. 82/1998, 32. gr.* [2] *L. 25/2007, 1. gr.* [3] *L. 101/1976, 11. gr.*

■ **Art. 107** Where the offence described in Article 106 is committed by a group of persons, the initiators and leaders of the attack shall be given proportionally more severe punishments, and may be sentenced to up to 8 years' imprisonment. [Other participants in the attack who employ force or fail to obey an order by an official to disperse shall be imprisoned for up to 6 years, or pay fines in the case of minor offences.][1]

[1] *L. 25/2007, 2. gr.*

■ **Art. 108** [Any person who employs physical violence, or unlawful coercion or threats as referred to in Article 233 against another person or his or her close relatives, or others connected with him or her, in connection with the giving of testimony to the police or a court shall be imprisoned for up to 6 years, or fine if there are special extenuating circumstances.][1]

[1] *L. 39/2000, 6. gr.*

■ **Art. 109** [Any person who gives, promises or offers a public official, [member of parliament or arbitrator][1] a gift or other undue gain, for the official himself or other persons, in order to have him act or refrain from acting in connection with his official duties, shall be imprisoned for up to [4 years][1] , or fined if there are extenuating circumstances.

☐ [The same punishment shall apply to any person who adopts such conduct towards a foreign public official, a foreign jury member, a foreign arbitrator, a member of a foreign congress of elected members with administrative duties, an official of an international organisation, a member of the assembly of such an organisation or the public legislative assembly of a foreign state, a judge who is a member of an international court, or an employee of such a court, in order to have them act or refrain from acting in connection with their official duties.][1]

☐ The same punishment shall furthermore apply to any person who adopts such conduct towards a person who asserts or confirms that he or she is able to exert an improper influence on the decision-making of any person referred to in the first or second paragraph of this Article, with the intention of having him or her exert such influence.

☐ Furthermore, the same punishment shall apply to any person who asserts or

confirms that he is able to exert an improper influence on the decision-making of any person referred to in the first or second paragraph of this Article and who demands, accepts, or accepts the promise of, a gift or other undue gain, for himself or others, irrespective of whether the influence is exerted and whether it leads to the intended result.][2)]

[1)] *L. 5/2013, 4. gr.* [2)] *L. 125/2003, 2. gr.*

■ **Art. 110** Where prisoners in a [prison],[1)] conspire to help each other to escape, this shall be punished by …[2)] up to 3 years' imprisonment.

[1)] *L. 82/1998, 34. gr.* [2)] *L. 42/1985, 9. gr.*

■ **Art. 111** Any person who frees an arrested person, a prisoner or a person who is held in official custody, and any person who encourages or assists such a person to escape from detention, shall be sentenced to …[1)] up to 2 year's imprisonment, or fined if there are extenuating circumstances.

□ Any person who unlawfully contacts an arrested person, a prisoner or a person who is held in official custody, shall be fined or [imprisoned][1)] for up to 6 months.

[1)] *L. 82/1998, 35. gr.*

■ **Art. 112** Any person who helps someone who is being followed in connection with an offence to avoid arrest or punishment by concealing him or her, helping him or her to escape or by giving false information as to his or her whereabouts, shall be fined …[1)] or imprisoned for up to 1 year.

□ The same punishment shall be imposed for obstructing the investigation of an offence by destroying, altering or removing items that could give information in the investigation or by tampering with the evidence of the offence.

□ Where a person commits an offence described in this Article with a view to enabling himself or herself, or his or her close relatives, to avoid pursuit or punishment, this shall not be punishable.

[1)] *L. 82/1998, 36. gr.*

■ **Art. 113** If any person removes or renders useless a seal or marking that has been placed in accordance with an official measure, this shall be punished by a fine …[1)] or up to 6 months' imprisonment.

□ Any person who removes or damages an advertisement that has been put up by the public authorities shall be fined …[1)] or imprisoned for up to 3 months.

[1)] *L. 82/1998, 36. gr.*

■ **Art. 114** Any person who engages persons within the Icelandic state to undergo foreign military service shall …[1)] be imprisoned for up to 2 years.

[1)] *L. 82/1998, 37. gr.*

■ **Art. 115** Any person who publicly reports, without being authorised to do so, or intentionally incorrectly, what has taken place in the elections or voting sessions referred to in Article 102, or what has taken place at meetings or in the work of

official assemblies, committees, government authorities or courts, shall be fined …[1] or imprisoned for up to 6 months.

[1] *L. 82/1998, 38. gr.*

■ **Art. 116** Any person who assumes an official power he or she does not have shall be fined or [imprisoned for up to 1 year][1] or, in the case of a serious offence, up to 2 years.

[1] *L. 82/1998, 39. gr.*

■ **Art. 117** Any person who, consciously or through negligence, uses publicly or for an unlawful purpose a symbol, marking or uniform which is reserved for Icelandic or foreign government officials or soldiers, or a symbol, marking or uniform which so closely resembles the aforementioned as to involve a risk that they will be confused, shall be fined.

Chapter XIII. Offences against the peace and public order.

■ **Art. 118** If a person starts a civil commotion in order to employ violence against persons or objects, or to threaten the employment of violence, this shall be punished by up to 3 year's imprisonment. …[1]

□ The same punishment shall be imposed on those who become the leaders of such a civil commotion once it has begun.

□ Other participants in a civil commotion who employ force or fail to obey orders given by the authorities to disperse shall receive relatively lighter punishments, and those who have not employed force may be sentenced to fines.

□ If any offence was committed, which was the purpose of the commotion, heavier punishments shall be imposed, taking into account the part played by each individual, in accordance with the above; in such cases, up to 6 years' imprisonment may be imposed unless the offence is of such a nature as to qualify for more severe punishment.

[1] *L. 82/1998, 40. gr.*

■ **Art. 119** Where a civil commotion occurs without coming under the provisions of Article 118, and the crowd is lawfully ordered by the authorities to disperse, then those participants who do not obey the order, even while being aware of it, shall be punished by fines or [imprisonment][1] of up to 3 months.

[1] *L. 82/1998, 41. gr.*

■ **Art. 120** Hoaxes played on the police, a fire brigade, a search and rescue team or another auxiliary force involving calls for help without reason or the misuse of fire alarms or other danger signals shall be punishable by fines or [imprisonment][1] of up to 3 months.

[1] *L. 82/1998, 42. gr.*

■ **[Art. 120 a** [Consciously giving incorrect information or consciously making

incorrect announcements of such a nature as are likely to arouse fears about persons' lives, health or well-being with regard to aviation safety or airport safety, shall be punishable by fines …[1] or up to three years' imprisonment. The same punishment shall apply to spreading rumours of this type against one's better knowledge.][2]][3]

[1] *L. 82/1998, 43. gr.* [2] *L. 16/1990, 2. gr.* [3] *L. 41/1973, 2. gr.*

■ **Art. 121** Any person who publicly encourages others to commit criminal acts shall be sentenced to …[1] imprisonment for up to 2 years, or to a fine, if there are extenuating circumstances, unless heavier punishments are prescribed for the offence in law.

□ Any person who publicly and clearly approves of any of the offences listed in Chapter X or Chapter XI of this Act shall be fined …[1] or imprisoned for up to 1 year.

[1] *L. 82/1998, 44. gr.*

■ **Art. 122** Any person who obstructs the holding of a lawful meeting shall be fined or [imprisoned for up to 1 year],[1] or imprisoned for up to 2 years in the event of a serious offence, particularly if force or threatening behaviour are employed.

□ Disturbing the peace at legally prescribed assemblies on public matters by means of making a noise or behaving in an obstreperous manner shall be punishable by fines or [imprisonment][1] of up to 3 months.

□ The same punishment shall be applied to any person who similarly disrupts a public religious service or other church ceremonies or who disturbs the peaceful progress of a funeral.

[1] *L. 82/1998, 45. gr.*

■ **Art. 123** Any person who, intentionally or through gross negligence, becomes intoxicated and, in that condition, poses a threat to other persons or items of substantial monetary value, shall be fined …[1] or imprisoned for up to 6 months, particularly in the event of an offence that is repeated or very serious in other respects.

□ …[2]

[1] *L. 82/1998, 46. gr.* [2] *L. 101/1976, 1. gr.*

■ **Art. 124** Desecration of a grave or indecent treatment of a body shall be punishable by a fine …[1] or up to 6 months imprisonment.

□ The same punishment shall apply to the improper treatment of items belonging to churches and intended for use in church ceremonies.

[1] *L. 82/1998, 47. gr.*

■ **Art. 125** [...][1]

[1] *L. 43/2015, 1. gr.*

■ **Art. 126** If someone is aware that any of the offences covered by Article 86, 87,

89, 91, 98, 99 or 100 of this Act, or another offence which involves a risk to people's lives and well-being or important items of value for society, and does not make every effort to prevent the offence or its consequences, including, if necessary, informing the authorities of his or her knowledge, that person shall, if the offence is then committed or an attempt is made to commit it, be …[1] imprisoned for up to 3 years, or fined if there are substantial extenuating circumstances. If, however, the person did not act because it would have been impossible to do so without endangering his or her own life, health or well-being, or that of his or her closest relatives, then he or she shall not be punished.

[1] *L. 82/1998, 49. gr.*

■ **Art. 127** Any person who does not heed a call by the authorities for assistance in preventing an offence or other course of events posing a danger to people's lives, health or well-being, even though he or she would have been able to render assistance without placing himself or herself, or substantial interests, in danger, shall be fined or [imprisoned][1] for up to 3 months.

[1] *L. 82/1998, 50. gr.*

Chapter XIV. Offences in public office.

■ **Art. 128** If a public official, [member of parliament or arbitrator][1] demands, accepts or accepts the promise of, a gift or other undue gain, for himself or others, in connection with the execution of his work, he shall be punished …[2] by up to 6 years' imprisonment, or by a fine if there are extenuating circumstances.

□ [The same punishment shall apply to foreign public officials, foreign jury members, foreign arbitrators, members of a foreign congress of elected members with administrative duties, officials of an international organisations, members of the assemblies of such organisations or the public legislative assemblies of foreign states, judges who are members of international courts, or employees of such courts, who demand, accept or accept the promise of, gifts or other undue gains, for themselves or others in connection with the execution of their duties.][1]

[1] *L. 5/2013, 5. gr.* [2] *L. 82/1998, 51. gr.*

■ **Art. 129** If a public official demands or accepts, as a gain for himself or others, taxes or dues [including service charges][1] which the payer does not owe, this shall be punishable by up to 6 months' imprisonment if no heavier punishment is prescribed for the offence under other provisions of this Act. Relatively lighter punishment shall be imposed if the guilty party originally accepted the payment in the belief that the payer owed it but then retained the payment with the intention of gaining by it after discovering the truth of the situation. …[2]

[1] *L. 54/2003, 1. gr.* [2] *L. 82/1998, 52. gr.*

■ **Art. 130** If a person exercising judicial powers or other public power of making

rulings on legal relations is guilty of wrongdoing in the resolution of a case or in its handling with the intention of producing an unjust outcome, he or she shall be sentenced to up to 6 years' imprisonment.

□ If the offence resulted in, or was intended to result in, the loss of welfare for any individual, the punishment shall take the form of imprisonment of at least 2 years and up to a maximum of 16 years.

■ **Art. 131** If a judge or other public official who is expected to maintain the punitive power of the state employs unlawful means to have a person make a confession or give information, carries out an unlawful arrest, imprisonment or [search][1] or seizes documents or other items in an unlawful manner, this shall be punishable by a fine …[2] or up to 3 years' imprisonment.

[1] *L. 54/2003, 2. gr.* [2] *L. 82/1998, 53. gr.*

■ **Art. 132** [If, either intentionally or through gross negligence, a public official as mentioned in Article 130 or 131 fails to observe the lawful procedures applying to judicial procedure or the resolution of cases, arrests, detention, searches, imprisonment or the execution of punishments, or the application of other similar remedies, he or she shall be fined or imprisoned for up to 1 year unless heavier punishment is prescribed in law for his or her offence.][1]

[1] *L. 54/2003, 3. gr.*

■ **Art. 133** [If a public official who is supposed to guard prisoners, including accused persons who have been deprived of their freedom, or to attend to the execution of sentences in criminal cases, allows a prisoner or accused person to escape, obstructs the execution of sentence, spares a person from undergoing punishment or so contrives matters that a punishment is applied in another and milder manner than is prescribed, this shall be punishable by up to 3 years' imprisonment, or by a fine if the offence is minor.][1]

[1] *L. 54/2003, 4. gr.*

■ **Art. 134** A public official who misuses his or her position to force a person to do something, submit to something or refrain from doing something shall be …[1] imprisoned for up to 3 years.

[1] *L. 82/1998, 56. gr.*

■ **Art. 135** A public official who participates in an offence by a subordinate public official involving misuse of position or function, or who seeks to encourage a subordinate to commit such an offence, shall be subjected to the punishment prescribed for the offence, but with the addition of up to half again.

■ **Art. 136** A public official who discloses something that is supposed to be kept secret, of which he or she has become aware in the course of his or her work, or which has a bearing on his or her position or function, shall be …[1] imprisoned for up to one year. If the official has done this in order to obtain unlawful gain for

himself or herself, or another person, or if he or she uses such knowledge for this purpose, imprisonment of up to 3 years may be imposed.

☐ The same punishment shall be applied to a person who after leaving employment as a public official discloses or misuses in another manner knowledge he or she acquired while in the position and which is supposed to be kept secret.

[1] *L. 82/1998, 57. gr.*

■ **Art. 137** A public official working in a [post or telecommunications service][1] who opens, without authorisation, renders useless or removes from circulation letters or messages delivered for distribution by post, or who renders useless, distorts or removes from circulation messages that have been received for delivery shall be …[2] imprisoned for up to 3 years. [The same applies to employees of legal persons who are granted public licences to operate postal services or handle telecommunications on the basis of such a licence, or to contractors who handle post or telecommunications services at the liability of a legal person.][1]

[1] *L. 54/2003, 5. gr.* [2] *L. 82/1998, 58. gr.*

■ **Art. 138** If a public official is guilty of a criminal offence involving an action that must be regarded as a misuse of his or her position but no particular punishment is prescribed for it as an offence in position or function, he or she shall be subjected to the punishment prescribed for the offence but with the addition of up to one half again. .

■ **Art. 139** Where, in cases other than those described above, a public official has misused his or her position for personal gain, or to obtain gain for others, or in order to do anything that abridges the rights of individuals or of the state, this shall be punishable by fines …[1] or up to 2 years' imprisonment.

[1] *L. 82/1998, 59. gr.*

■ **Art. 140** A public official who refuses or intentionally neglects to do something he or she is lawfully instructed to do shall be fined or [imprisoned for up to 1 year].[1]

[1] *L. 82/1998, 60. gr.*

■ **Art. 141** A public official who is convicted of gross or repeated negligence or carelessness in his or her work shall be fined or [imprisoned for up to 1 year].[1]

[1] *L. 82/1998, 61. gr.*

■ **[Art. 141 a** For the purposes of Articles 128, 129, 134, 135, 138, 139, 140 and 141 of this Act, 'public official' refers to a person who, by virtue of his or her position or according to authorisation in law is able to take, or to influence, decisions regarding the rights and obligations of individuals or legal persons, or to dispose of, or to influence the disposal of, public interests.][1]

[1] *L. 54/2003, 6. gr.*

Chapter XV. False testimony and false accusations.

■ **Art. 142** [Any person who gives a false account of something to a court or government official who is authorised to administer oaths shall be imprisoned for up to 4 years. If the testimony was given under oath, this shall be taken into account as a factor aggravating the punishment.

□ If testimony is incorrect in details that do not have a bearing on the issue under investigation, a fine or [up to 1 year's imprisonment.][1] may be applied][2]

[1] *L. 82/1998, 62. gr.* [2] *L. 101/1976, 12. gr.*

■ **Art. 143** A defendant in a criminal case shall not incur punishment for giving a false account of the circumstances of the case. Nor shall punishment be imposed on a person who gives a false account of events because true information about them could have implicated him or her in criminal liability in such a case, or because he or she believed this to be the case.

□ [If someone has given false testimony to a court or a government official of the type mentioned in the first paragraph of Article 142 regarding matters that he or she was not authorised to reveal, or was permitted to refuse to divulge, the punishment may be reduced or even waived if there are extenuating circumstances.][1]

[1] *L. 101/1976, 13. gr.*

■ **Art. 144** Commission through gross negligence of an offence that would be punishable under Article 142 or the second paragraph of Article 143 if it were committed intentionally shall be punishable by fines or [up to 6 months' imprisonment].[1]

[1] *L. 82/1998, 63. gr.*

■ **Art. 145** [If, without violating Article 142, a person makes a false statement to the authorities having given his or her word of honour, or in another similar manner where such a procedure is required or permitted, this shall be punishable by a fine or [up to 1 year's imprisonment],[1] and by up to 2 years' imprisonment in the case of a serious offence.][2]

[1] *L. 82/1998, 64. gr.* [2] *L. 101/1976, 14. gr.*

■ **Art. 146** If, apart from the above cases, someone gives false information to the authorities concerning a matter on which he or she is obliged to give information, he or she shall be fined or …[1] imprisoned for up to 4 months.

□ The provisions of the first paragraph of Article 143 shall be given consideration here, as appropriate.

[1] *L. 82/1998, 65. gr.*

■ **Art. 147** If in other circumstances a person presents a false written statement or gives a written certificate concerning something of which he or she is ignorant, this being intended for use in a court case, other matters pertaining to public authorities or arbitration cases, the person shall be fined …[1] or imprisoned for up to 4 months.

[1] *L. 82/1998, 66. gr.*

■ **Art. 148** Any person who, by a false charge, false testimony, distortion or concealment of evidence, production of forged evidence or in another manner seeks to have an innocent person accused of, or sentenced for, a criminal offence, shall be …[1] imprisoned for up to 10 years. When sentence is determined, consideration shall be given to the severity of the punishment prescribed for the offence which it is asserted, or implied, that other person committed. …[2] Where the offence resulted, or was intended to result, in a loss of welfare for any person, the punishment shall take the form of imprisonment of not less than 2 years and up to a maximum of 16 years.

□ It may be decided in the sentence, at the request of the offended party, that the conclusion of the judgment, and as much of the summing up as the court deems appropriate, be published at the instigation of the authorities in one or more public newspapers or other publications.

[1] *L. 82/1998, 67. gr.* [2] *L. 101/1976, 15. gr.*

■ **Art. 149** Any person convicted of giving false testimony to the authorities alleging that a criminal offence has been committed, and any person who makes false charges against the [President],[1] the Althingi, the courts or the authorities, shall be fined or [imprisoned for up to 1 year].[2]

[1] *L. 100/1951, 4. gr.* [1] *L. 82/1998, 68. gr.*

Chapter XVI. Counterfeiting of money and other offences involving currency.

■ **Art. 150** Any person who counterfeits money in order to put it into circulation as genuine currency, and any person who for the same purpose acquires for himself or herself, or for others, counterfeit money, shall be imprisoned for up to 12 years.

□ If the counterfeiting takes the form of reducing the material value of valid coins, punishment shall take the form of up to 4 years' imprisonment.

■ **Art. 151** Any person releasing money that he or she knows to be counterfeit shall be sentenced to the same punishment as if he or she had actually counterfeited it. If the person believed the money to be genuine at the time of receiving it, punishment of [up to 1 year's imprisonment][1] or fines may be imposed.

[1] *L. 82/1998, 69. gr.*

■ **Art. 152** Any person releasing money that he or she suspects may be counterfeit shall be sentenced to …[1] up to 2 years' imprisonment. If the person believed the money to be genuine at the time of receiving it, a fine may be imposed, and if there are extenuating circumstances then punishment may even be waived.

[1] *L. 82/1998, 70. gr.*

■ **Art. 153** Making, importing or distributing items which in their design and finish closely resemble money or negotiable instruments intended for circulation shall be

punishable by fines.

■ **Art. 154** A fine or [imprisonment][1] of up to 3 months shall be imposed on any person who, without authorisation in law, imports or releases bearer bonds that can be used in general circulation as legal tender, whether among the general public or among a particular set of persons, or that may be expected to be used in such a way. The provisions of this Article do not cover foreign banknotes.

[1] *L. 82/1998, 71. gr.*

Chapter XVII. Forgery and other offences involving visible evidence.

■ **Art. 155** Any person who uses a forged document for purposes of deception in legal dealings shall be imprisoned for up to 8 years. If the document is used as an official document, a negotiable instrument or a will, this shall be given special weight in aggravating the sentence.

□ [The same punishment shall apply to the use of forged documents that are stored in machine-readable form for purposes of deception in legal dealings.][1]

□ If only minor interests were at stake, or if there are substantial extenuating circumstances in other respects, particularly where the perpetrator did not intend to cause other persons loss or damage, [imprisonment of up to 1 year][2] or fines may be imposed.

[1] *L. 30/1998, 1. gr.* [2] *L. 82/1998, 72. gr.*

■ **Art. 156** The same punishment as is prescribed in Article 155 shall be imposed on any person using a document with a genuine signature for purposes of deception in legal dealings providing that the issuing party was deceived into signing it in the belief that it was another document or a document with a different content.

■ **Art. 157** The use of a genuine document as if it related to a person other than the one to whom it in fact relates, or in another manner contrary to what was intended, where this is done for purposes of deception in legal dealings, shall be punishable by fines …[1] or up to 6 months' imprisonment.

□ [The provisions of the first paragraph shall also apply to the use of genuine documents that are stored in machine-readable form.][2]

[1] *L. 82/1998, 73. gr.* [2] *L. 30/1998, 2. gr.*

■ **Art. 158** If a person states something falsely in an official document or book or in documents or books of another type which he or she is obliged to publish or write, or if the person states something falsely in a document or book that he or she publishes or keeps in a position for the pursuit of which legal authorisation is required, and if this is done for purposes of deception in legal dealings, this shall be punishable by …[1] up to 3 years' imprisonment, or by a fine if there are extenuating circumstances.

□ The same punishment shall apply to the use of false documents of this type in

legal dealings as if they were materially correct.

☐ [The provisions of the first and second paragraphs shall also apply to the misrepresentation and use of information and data stored in machine-readable form.][2)]

[1)] *L. 82/1998, 74. gr.* [2)] *L. 30/1998, 3. gr.*

■ **Art. 159** If an official stamp or marking which is intended to prove that an item is genuine, or to vouch for its origin, quality, type or quantity, has been placed on an item without authorisation or by falsification, then any person who uses the item for the purposes of deceiving others with it in commercial transactions shall be fined …[1)] or imprisoned for up to 3 years.

☐ The same punishment shall be imposed on any person who, for the same purpose, fraudulently has an official stamp or marking of this type placed on items that are not do not meet the requirements, or who uses such items.

☐ The use, for the same purpose, of items on which a private stamp or private marking has fraudulently been placed, this being intended to give information on some aspect of the item that is of significance in commercial transactions between people, shall be punishable by a fine …[1)] or up to 1 year's imprisonment.

☐ Punishment as provided for above shall be imposed on any person who, for purposes of deception in commercial transactions, uses items after a stamp, marking or other sign lawfully placed on the item has been removed or corrupted.

[1)] *L. 82/1998, 75. gr.*

■ **Art. 160** If, in his or her profession, a person uses measuring devices or weighing equipment that gives incorrect readings for purposes of deceiving other persons in commercial transactions, this shall be punishable by imprisonment of up to 2 years …[1)] In the case of major offences, and also repeated offences, the punishment may be increased to 6 years' imprisonment.

[1)] *L. 82/1998, 76. gr.*

■ **Art. 161** Any person who uses forged postage stamps, stamped markings or other such markings used as evidence of the payment of official charges shall be imprisoned for up to 8 years. Relatively lighter punishment shall be imposed for the use of stamp markings or postage stamps that have been used previously following removal of markings showing that they have been used.

☐ Making, importing or distributing items which in their design and finish closely resemble stamp markings, postage stamps or other similar indications of payment shall be punishable by fines.

■ **Art. 162** Any person who corrupts evidence or advances false evidence for the purpose of influencing the outcome of judicial proceedings shall be imprisoned for up to 2 years. [If there are extenuating circumstances and the offence is not punishable by a heavier sentence according to law, fines or up to 1 year's

imprisonment may be applied.][1]

☐ Any person who, for the purpose of abridging or destroying other persons' rights, destroys evidence, conceals it or renders it useless, in part or in its entirety, shall be imprisoned for up to 2 years. …[1]

☐ Where a person commits actions described in the first or second paragraph regarding evidence that could have been of significance in establishing his or her guilt in [a criminal case],[2] no punishment shall be imposed for this.

[1] *L. 82/1998, 77. gr.* [2] *L. 88/2008, 234. gr.*

■ **Art. 163** Any person who, for the purpose of deception, wrongly places, moves, removes, corrupts or destroys boundary stones or other marks intended to indicate the limits of property rights, including water rights, shall be imprisoned for up to 3 years …,[1] or fined in the case of a minor offence.

[1] *L. 82/1998, 78. gr.*

Chapter XVIII. Offences involving danger to the public.

■ **Art. 164** A person who causes a fire which involves danger to the public shall be imprisoned for not less than 6 months.

☐ However, the sentence imposed shall not be lower than 2 years' imprisonment if the perpetrator foresaw that human life would evidently be endangered or that the fire would evidently involve a danger of large-scale destruction of other people's property.

■ **Art. 165** Any person who causes loss of life, physical injury or damage of property by causing an explosion, dispersing noxious gases, causing flooding, a shipwreck, a railway, automobile or aircraft accident, or accidents involving similar vehicles or means of transport shall be imprisoned.

☐ [Any person who, while in an aircraft, employs violence or the threat of violence or another unlawful method in order to gain control of the aircraft or to interfere unlawfully in another manner in its control or the flight shall be sentenced to not less than 2 years' imprisonment. In very special circumstances a lighter sentence may apply. …[1]][2] [The same shall apply in the event of interference in the control of a ship or of structures connected to the seabed of the continental shelf.][3]

☐ [The same punishment as is specified in the second paragraph shall be applied to any person who, with violence or the threat of violence, attacks persons in an airport intended for international air traffic, providing that the offence causes, or is of a nature to cause, danger to the public.

☐ The provisions of Articles 166, 167 and 169 shall also apply to violations of the second and third paragraphs.][4]

[1] *L. 16/1990, 3. gr.* [2] *L. 41/1973, 3. gr.* [3] *L. 70/2002, 2. gr.* [4] *L. 16/1990, 4. gr.*

■ **Art. 166** If an action described in Article 164 or Article 165 is committed for the

purpose of starting a rebellion, looting or other such disturbance of the social structure or public order, punishment of imprisonment of not less than 4 years shall be applied.

■ **Art. 167** If offences under Article 164 or Article 165 are committed through negligence, the punishment shall take the form of a fine …[1] or up to 3 years' imprisonment.

[1] *L. 82/1998, 79. gr.*

■ **Art. 168** Any person who tampers with the safety of railway carriages, ships, aircraft, automobiles or other similar vehicles for the transportation of passengers or goods, or with traffic safety on public roads, without the offence falling under Article 165, shall be imprisoned for up to 6 years …[1] [The same shall apply in the event of tampering with the safety of structures connected to the seabed of the continental shelf.][2]

[1] *L. 82/1998, 80. gr.* [2] *L. 70/2002, 3. gr.*

■ **Art. 169** Any person who fails to do everything in his or her power to give warning of, or to avert, a fire, explosion, the dispersal of harmful gases, flooding, a shipwreck, other traffic accidents or similar incidents which pose a threat to human beings or items of great value shall be fined …[1] or imprisoned for up to one year, providing that he or she could have done this without endangering his or her own substantial interests or those of others.

[1] *L. 82/1998, 81. gr.*

■ **[Art. 169 a** Any person who unlawfully receives, has in his or her keeping, uses, transports, modifies, releases or disperses nuclear fissile substances, so jeopardizing human life or health or posing a threat to property, shall be imprisoned for up to 6 years.

□ If an offence under the first paragraph involves a danger to the public, the punishment shall take the form of up to 16 years' imprisonment.][1]

[1] *L. 70/2002, 4. gr.*

■ **Art. 170** Any person causing a threat to human life or health by causing a general shortage of drinking water or by introducing harmful substances into water reservoirs or water pipes, shall be imprisoned for up to 12 years.

□ If the offence is committed through negligence, it shall be punished by a fine …[1] or up to one year's imprisonment.

[1] *L. 82/1998, 82. gr.*

■ **Art. 171** Any person who has[1] toxic substances or other hazardous substances in items intended for sale or general use, with the result that the ordinary use of the items will pose a hazard to people's health, shall be imprisoned for up to 10 years.

□ The same punishment shall apply to treating items that are corrupted and pose a hazard to human health if they are used in the normal way so as to conceal their

harmfulness.

□ The same punishment shall also apply to offering for sale or consumption, or working in another manner for the distribution of, items that are corrupted in the manner described above, if their harmfulness is concealed.

□ If the offence is committed through negligence, the punishment shall take the form of a fine …[2] or up to 1 year's imprisonment.

[1] *This is presumably intended to read: "introduces ...into".*. [2] *L. 82/1998, 83. gr.*

■ **Art. 172** Any person who offers for sale or consumption, or works for the distribution of, consumer goods which, due to spoilage or for other reasons pose a threat to human health, or items which in the course of ordinary use are hazardous in the same way, and who conceals the harmfulness of the goods, shall, providing the offence does not fall under Article 171, be imprisoned for up to 6 years, [or be fined or imprisoned for up to 1 year],[1] if there are extenuating circumstances.

□ If the offence is committed through negligence, the punishment shall take the form of a fine or [up to 1 year's imprisonment].[1]

[1] *L. 82/1998, 84. gr.*

■ **Art. 173** Any person who offers for sale or consumption, or works for the distribution of, items as medicinal drugs or prophylactics against disease, knowing that they do not possess this property and that their use for this purpose could endanger human life and health, shall be imprisoned for up to 6 years. …[1]

□ If the offence is committed through negligence, the punishment shall take the form of a fine or [up to 1 year's imprisonment].[1]

[1] *L. 82/1998, 85. gr.*

■ **[Art. 173 a** Any person who, contrary to the provisions of the Addictive Drugs and Narcotics Act, supplies addictive drugs and narcotics to many persons or makes them over for a substantial payment or in another particularly criminal manner, shall be imprisoned for up to [12 years].[1]

□ The same punishment shall be imposed on any person who, in contravention of the aforementioned Act, manufactures, prepares, imports, exports, purchases, releases, accepts or has in his or her keeping addictive drugs and narcotics for the purpose of making them over to others in one of the manners listed in the first paragraph.][2]

[1] *L. 32/2001, 1. gr.* [2] *L. 64/1974, 1. gr.*

■ **[Art. 173 b** …[1]**]**[2]

[1] *L. 10/1997, 3. gr.* [2] *L. 39/1993, 1. gr.*

■ **Art. 174** Endangering the life or health of domestic animals in the ways described in Articles 170–173 shall be punishable by …[1] up to 2 years' imprisonment, or by a fine if there are extenuating circumstances.

[1] *L. 82/1998, 86. gr.*

■ **Art. 175** Any person causing a danger that a communicable disease will break out or be spread between people by violating the provisions of law on preventive measures against communicable diseases, or precautionary rules on these matters issued by the authorities, shall be …[1] imprisoned for up to 3 years. The punishment may take the form of up to 6 years' imprisonment in the case of diseases which the authorities have taken special measures to contain or to prevent their entering the country.

□ Any person who, in the manner described above, causes a danger that a disease affecting domestic animals or plants will break out or be spread shall be …[1] imprisoned for up to 3 years, or be fined if there are extenuating circumstances.

□ If an offence against this Article is committed through negligence, the punishment shall take the form of a fine …[1] or up to 6 months' imprisonment.

[1] *L. 82/1998, 87. gr.*

■ **[Art. 175** Conspiring with another person to commit an offence that is punishable by at least 4 years' imprisonment, when the commission of the offence is part of the activities of a criminal organisation, shall be punishable by up to 4 years' imprisonment unless a heavier sentence is prescribed for the offence under other provisions of this Act, or of other statutes.

□ 'Criminal organisation' here refers to an association of three or more persons, the main aim of which is to commit, directly or indirectly, for profit and in an organised manner, criminal actions that are punishable by at least 4 years' imprisonment, or which have the commission of such actions as a substantial part of their activities.][1]

[1] *L. 149/2009, 5. gr.*

Chapter XIX. Miscellaneous offences against the public interest.

■ **Art. 176** Causing, through an unlawful action, substantial disruption of the operation of public transport vehicles, public post and telecommunication operations or the operation of stations or power plants from which the public receives water, gas, electricity, heat or other essentials shall be punishable by …[1] imprisonment of up to 3 years, or by a fine if there are extenuating circumstances.

□ If the offence is committed through negligence, the punishment shall take the form of a fine or [imprisonment][1] of up to 6 months.

[1] *L. 82/1998, 88. gr.*

■ **Art. 177** Any person who removes, destroys or damages public monuments or objects intended for public use or for decoration, or objects that are part of public museums or are specially protected, shall be sentenced to …[1] prison for up to 3 years, or to a fine if there are extenuating circumstances.

[1] *L. 82/1998, 89. gr.*

■ **Art. 178** Any person who, in order to deceive others in commercial transactions, falsifies or produces imitations of goods or offers such goods for sale shall be imprisoned for up to 2 years …[1] or fined.

[1] *L. 82/1998, 90. gr.*

■ **Art. 179** [Imprisonment of up to 4 years shall be imposed on any person convicted of serious offences against legal provisions on the protection of the environment through the following actions:

1. Polluting the air, ground, ocean or waterways in such a manner as to cause substantial damage to the environment, or an imminent danger of such damage.
2. Storing or releasing waste matter or hazardous substances in such a manner as to cause substantial damage to the environment, or an imminent danger of such damage.
3. Causing substantial disturbance of the ground with the result that the appearance of the land is permanently altered or important natural formations are damaged.][1]

[1] *L. 122/1999, 1. gr.*

Chapter XX. Violations of the rules on livelihood and occupations.

■ **Art. 180** [Any person who, in the course of business operations or the provision of services denies a person goods or services on an equal footing with others on grounds of that person's nationality, colour, race, [religion, sexual orientation or gender identity][1] shall be fined …[2] or imprisoned for up to 6 months.

□ The same punishment shall be applied for denying someone access on the same footing as others to a public meeting place or other places that are open to the public.][3]

[1] *L. 13/2014, 1. gr.* [2] *L. 82/1998, 91. gr.* [3] *L. 135/1996, 1. gr.*

■ **Art. 181** If a commissioner of police has reason to believe that a person is not supporting himself or herself in a lawful manner, the person shall be obliged to give an account of his or her sources of support, and to substantiate them. If the person fails to do this, or obtains his or her living in an unlawful manner, e.g. through the sale of prohibited items, gambling …[1] he or she shall be sentenced to imprisonment of up to 2 years, providing no more severe punishment is prescribed in other statutes.

[1] *L. 40/1992, 16. gr.*

■ **Art. 182** …[1]

[1] *L. 101/1976, 1. gr.*

■ **Art. 183** Any person who makes gambling or betting, or inducing other persons to indulge in them, his or her livelihood, shall be fined …[1] or imprisoned for up to 1

year in the case of a serious offence.
☐ It shall be decided by a court judgment whether gains from gambling or betting are to be returned or confiscated.

[1] *L. 82/1998, 92. gr.*

■ **Art. 184** Any person who earns income, directly or indirectly, from having gambling or betting take place in premises under his or her control shall be fined …[1] or imprisoned for up to 1 year.

[1] *L. 82/1998, 93. gr.*

■ **Art. 185** Any person who in order to make a living employs false pretences or deception in order to have someone leave Iceland shall be fined …[1] or imprisoned for up to 1 year.

[1] *L. 82/1998, 94. gr.*

■ **Art. 186** Any person who engages without authorisation in an occupation for the pursuit of which an official licence or recognition is required shall be fined or [imprisoned][1] for up to 1 year if no particular punishment is prescribed for the offence in other statutes.
☐ If an association has been dissolved temporarily by an official measure or permanently by a court judgment, then those who keep it running or re-join it thereafter shall be fined …[1] or imprisoned for up to 1 year.

[1] *L. 82/1998, 95. gr.*

■ **Art. 187** Any person who receives an official licence to pursue a particular private activity or business operation which may not be pursued without such a licence and who then violates the official obligations that accompany the licence shall be fined or [imprisoned for up to 6 months] if no particular punishment is prescribed for the offence in other statutes.

[1] *L. 82/1998, 96. gr.*

Chapter XXI. Offences regarding family relationships.

■ **Art. 188** A married man or woman who marries another woman or man shall be imprisoned for up to 3 years or, if the other party was unaware of the former marriage, for up to 6 years.
☐ If the offence was committed through gross negligence, the punishment shall take the form of …[1] up to 1 year's imprisonment.
☐ An unmarried man or woman who marries a married woman or man shall be …[1] be imprisoned for up to 1 year. If the marriage is not annulled, a fine may be imposed …[1] or punishment may even be waived.

[1] *L. 82/1998, 97. gr.*

■ **Art. 189** Any person entering into a marriage that is to be annulled on grounds of consanguinity of the partners shall be …[1] imprisoned for up to 2 years.

[1] *L. 82/1998, 98. gr.*

■ **Art. 190** …[1]

[1] *L. 40/1992, 16. gr.*

■ **Art. 191** …[1]

[1] *L. 27/2006, 2. gr.*

■ **Art. 192** Any person who perverts the evidence regarding a child's paternity or maternity by giving false or incomplete testimony to the authorities responsible for accepting birth announcements shall be [imprisoned for up to 1 year][1] or fined.

□ Punishment may be waived in cases where a child that was conceived extramaritally by the woman is registered as the child of the married couple and the husband has agreed to this.

[1] *L. 82/1998, 100. gr.*

■ **Art. 193** Any person who deprives parents or other rightful parties of the control of or custody over a child who is a minor in terms of age, or who encourages the child to evade such control or custody shall be fined …[1] or imprisoned for up to 16 years, or for life.

[1] *L. 82/1998, 101. gr.*

Chapter XXII. [Sexual offences.][1]

[1] *L. 40/1992, 1. gr.*

■ **Art. 194** [Any person who has sexual intercourse or other sexual relations with a person by means of using violence, threats or other unlawful coercion shall be guilty of rape and shall be imprisoned for a minimum of 1 year and a maximum of 16 years. 'Violence' here refers to the deprivation of independence by means of confinement, drugs or other comparable means.

□ Exploiting a person's psychiatric disorder or other mental handicap, or the fact that, for other reasons, he or she is not in a condition to be able to resist the action or to understand its significance, in order to have sexual intercourse or other sexual relations with him or her, shall also be considered as rape, and shall result in the same punishment as specified in the first paragraph of this Article.][1]

[1] *L. 61/2007, 3. gr.*

■ **Art. 195** [When punishment for violations of Article 194 is determined, it shall be considered as increasing the severity of the punishment:

a. if the victim is a child under the age of 18,

b. if the violence employed by the perpetrator is of serious proportions,

c. if the offence is perpetrated in such a way as to cause particular pain or injury.][1]

[1] *L. 61/2007, 4. gr.*

■ **Art. 196** …[1]

[1] *L. 61/2007, 5. gr.*

■ **Art. 197** [If the supervisor or an employee in a prison, another institution under the direction of the police, the prison authorities or the child welfare authorities, or in the psychiatric ward of a hospital, a home for mentally handicapped persons or another similar institution has sexual intercourse or other sexual relations with an inmate of the institution, it shall be punished by up to 4 years' imprisonment.][1]

[1] *L. 61/2007, 6. gr.*

■ **Art. 198** [Any person who has sexual intercourse or other sexual relations with a person …[1] by grossly abusing the fact that the other person is financially dependent on him either through his employment or as his protégé in a confidential relationship shall be imprisoned for up to 3 years or, if the other person is younger than 18, for up to 6 years. …[2]][3]

□ …[1]

[1] *L. 61/2007, 7. gr.* [2] *L. 40/2003, 1. gr.* [3] *L. 40/1992, 6. gr.*

■ **Art. 199** [Any person found guilty of sexual harassment shall be imprisoned for up to 2 years. 'Sexual harassment' here refers, amongst other things, to stroking, fingering or probing the genitals or breasts of another person, whether under or through clothing, and also to suggestive behaviour or language which is extremely offensive, repeated or of such a nature as to cause fear][1]

[1] *L. 61/2007, 8. gr.*

■ **Art. 200** [Any person who has sexual intercourse or other sexual relations with his or her own child or other descendant shall be imprisoned for up to [8 years][1] and up to [12 years][1] if the child [is 15, 16 or 17 years of age].[2]

□ [Sexual harassment of a type other than that specified in the first paragraph of this Article and directed at the perpetrator's own child or other descendant shall be punishable by up to 4 years' imprisonment, providing that the child is aged 15 years or older.][2]

□ Sexual intercourse or other sexual relations between siblings shall be punishable by up to 4 years' imprisonment. If one or both of the siblings were under the age of 18 years at the time of the offence, it may be decided to waive punishment applying to them.][3]

[1] *L. 40/2003, 2. gr.* [2] *L. 37/2013, 3. gr.* [3] *L. 40/1992, 8. gr.*

■ **Art. 201** [Any person who has sexual intercourse or other sexual relations with a child aged 15, 16 or 17 year who is his or her adopted child, step-child, foster-child or the child of his or her cohabiting partner, or is bound to him or her by similar family relationships in direct line of descent, or is a child who has been committed to his or her authority for education or upbringing, shall be imprisoned for up to 12 years.

□ Sexual harassment of a type other than that specified in the first paragraph of this

article shall be punishable by up to 4 years' imprisonment.][1]

[1] *L. 37/2013, 4. gr.*

■ **Art. 202. gr.** [Any person who has sexual intercourse or other sexual relations with a child under the age of [15 years],[1] shall be imprisoned for [a minimum of 1 year and a maximum of 16 years].[1] . . .[2] [Punishment may be reduced or waived if the perpetrator and the victim are of similar age or level of maturity.][1]

□ [Sexual harassment of a type other than that specified in the first paragraph of this article shall be punishable by imprisonment of up to [6 years].[1]][2]

□ Any person who, by deception, gifts or in any other way entices a [child][1] [under the age of 18 years][2] to engage in sexual intercourse or other sexual relations shall be imprisoned for up to 4 years.][3]

□ [Any person who, by communications over the Internet, other information technology or telecommunications equipment or in another manner arranges a meeting with a child under the age of 15 year for the purpose of having sexual intercourse or other sexual relations with the child or to harass the child sexually in another manner shall be imprisoned for up to 2 years.][4]

□ [If the connection between the perpetrator and the child is as described in the first paragraph of Article 200 or the first paragraph of Article 201, this shall be accounted as an aggravating factor in determining punishment, providing that the second sentence of paragraph 1 of this Article does not apply.][5]

[1] *L. 61/2007, 11. gr.* [2] *L. 40/2003, 4. gr.* [3] *L. 40/1992, 10. gr.* [4] *L. 58/2012, 4. gr.* [5] *L. 37/2013, 5. gr.*

■ **Art. 203** . . .[1]

[1] *L. 40/1992, 16. gr.*

■ **Art. 204** [[Where violations of Article 201 or Article 202 have been committed through oversight regarding the age of the victim, a relatively more lenient punishment may be imposed; however, it may not be reduced to [less than the minimum prescribed imprisonment].[1]][2]

[1] *L. 82/1998, 102. gr.* [2] *L. 40/1992, 11. gr.*

■ **Art. 205** [If a person who is to be punished for any of the sexual offences listed above has previously been convicted of such offences, the punishment may be increased by up to half.][1]

[1] *L. 61/2007, 12. gr.*

■ **Art. 206** [Any person who pays, or promises payment or any other type of consideration, for prostitution shall be fined or imprisoned for up to 1 year.

□ Any person who pays, or promises payment or any other type of consideration, for prostitution on the part of a child under the age of 18 shall be fined or imprisoned for up to 2 years.][1]

□ [Any person who bases his or her employment or livelihood on prostitution on

the part of others shall be imprisoned for up to 4 years.
☐ The same punishment shall apply to deceiving, encouraging or assisting a child under the age of 18 to engage in prostitution.
☐ The same punishment shall also apply to taking steps to have any person move from or to Iceland in order to derive his or her support from prostitution.
☐ Any person who employs deception, encouragement or mediation in order to encourage other persons to have sexual intercourse or other sexual relations in return for payment or to derive income from prostitution practised by others, e.g. by renting out premises or by other means shall be imprisoned for up to 4 years, or fined or imprisoned for up to 1 year if there are extenuating circumstances.
☐ Any person who, in a public advertisement, offers, arranges or seeks to have sexual intercourse with another person in return for payment shall be fined or imprisoned for up to 6 months.][2)]

[1)] *L. 54/2009, 2. gr.* [2)] *L. 61/2007, 13. gr.*

■ **Art. 207** …[1)]

[1)] *L. 40/1992, 16. gr.*

■ **Art. 208** [If a person who is to be punished under Article 206 has previously been sentenced for a violation of that article, or has previously been sentenced to prison for an enrichment offence, the punishment may be increased by up to half.][1)]

[1)] *L. 40/1992, 14. gr.*

■ **Art. 209** [Any person who, through lewd conduct, offends people's sense of decency or causes a public scandal, shall be imprisoned for up to 4 years, or [up to 6 months][1)] or fined if the offence is minor.][2)]

[1)] *L. 82/1998, 104. gr.* [2)] *L. 40/1992, 15. gr.*

■ **Art. 210** If pornography appears in print, the person responsible for its publication under the Printing Act shall be subjected to a fine …[1)] or to up to 6 months' imprisonment.
☐ The same punishment shall apply to producing, or importing pornographic publications, pornographic films or other such items in order to disseminate, sell, distribute or publicise them in other ways, or to have them on view to the public, and also to organise a public lecture or performance that is immoral in the same manner. [Where such material shows children in a sexually explicit or pornographic manner, however, the punishment may be up to 2 years' imprisonment.][2)]
☐ Furthermore, the same punishment shall apply to handing over pornographic publications, pornographic films or other such items to young persons under the age of 18 years.
☐ …[3)]

[1)] *L. 82/1998, 105. gr.* [2)] *L. 39/2000, 7. gr.* [3)] *L. 58/2012, 5. gr.*

■ **[Art. 210 a** Any person who produces, imports, acquires for himself, herself or others or has in his or her possession photographs, films or comparable items that show children in a sexual or pornographic manner shall be fined or imprisoned for up to 2 years in the case of a serious violation. The same punishment shall apply regarding photographs, films or comparable items that show persons aged 18 years and older in a sexual or pornographic manner providing that they are in the role of children or if children are represented in such material, even if it is not realistic, e.g. in cartoons or other virtual images.

□ The same punishment as is prescribed in the first paragraph shall apply to any person who examines pictures, a motion-picture sequence or other comparable items that show children in a sexual or pornographic manner on the Internet or by means of other information technology or telecommunications equipment.][1)]

[1)] *L. 58/2012, 6. gr.*

■ **[Art. 210 b** Any person who engages a child to take part in a display of nudity or a pornographic display, or who organises, or in some other manner causes a child to take part in such a display or derives gain from the participation by a child in such a display, shall be imprisoned for up to 2 years, and up to 6 years in the case of a serious violation.

□ Attendance at displays of nudity or pornographic displays in which children are participants shall be punished by a fine or up to 1 year's imprisonment.][1)]

[1)] *L. 58/2012, 6. gr.*

Chapter XXIII. Manslaughter and physical injury.

■ **Art. 211** Anyone who takes another person's life shall be imprisoned for a minimum of 5 years or for life.

■ **Art. 212** If a mother kills her child during birth or immediately after it is born and there is reason to believe that she did this due to destitution, fear of scandal or a weakened or confused mental state which she entered at the time of the birth, this shall be punishable by up to 6 years' imprisonment.

□ In the event of an attempt only, and if the child suffered no injury, punishment may be waived.

■ **Art. 213** Anyone who takes another person's life at his or her urgent request shall be imprisoned for up to 3 years …[1)]

[1)] *L. 82/1998, 106. gr.*

■ **Art. 214** A person who contributes towards another person's taking his or her own life shall be [imprisoned for up to 1 year][1)] or fined. If this is done for a selfish aim, the punishment shall take the form of up to 3 years' imprisonment.

[1)] *L. 82/1998, 107. gr.*

■ **Art. 215** If a person's death is the result of negligence on the part of another

person, the punishment shall be a fine …[1] or up to 6 years' imprisonment.

[1] *L. 82/1998, 108. gr.*

■ **Art. 216** A woman who kills her foetus shall be …[1] imprisoned for up to 2 years. If there are particularly strong extenuating circumstances, it may be decided that punishment is to be waived. Proceedings shall not be instituted if 2 years have elapsed since the commission of the offence. Unsuccessful attempts shall not result in punishment.

□ Any person who, with the mother's consent kills her foetus or provides her with assistance for an abortion, shall be imprisoned for up to 4 years. In the case of a serious offence, and particularly if the offence is committed for gain or results in the death of, or serious damage to the health of, the mother, punishment of up to 8 years shall be applied. If the offence was committed without the mother's consent, the punishment shall take the form of imprisonment for a minimum of 2 years and up to 12 years.

[1] *L. 82/1998, 109. gr.*

■ **Art. 217** [Any person convicted of assault, providing it is not as serious as is described in Article 218, shall be fined or [imprisoned for up to 6 months],[1] and [imprisoned for up to 1 year] if the conduct involved is particularly reprehensible.

□ [The prosecution authorities shall bring court actions arising from offences under the first paragraph, and this shall not be done unless demanded by the public interest.][2]][3]

[1] *L. 82/1998, 110. gr.* [2] *L. 88/2008, 234. gr.* [3] *L. 20/1981, 10. gr.*

■ **Art. 218** [If by a deliberate assault someone causes another person physical injury or health damage and these consequences can be regarded as his or her fault in terms of intention or negligence, the person shall be …[1] imprisoned for up to 3 years, or fined if there are extenuating circumstances.

□ Where serious physical injury or health damage results from an assault or where the offence is particularly dangerous in view of the method, including the implements, used, and also where the assault victim dies as a consequence of the attack, punishment for the offence shall take the form of up to 16 years' imprisonment.][2]

[1] *L. 82/1998, 111. gr.* [2] *L. 20/1981, 11. gr.*

■ **[Art. 218 a** Any person who, in an assault, causes physical injury or damage to the health of a girl child or woman by removing her sexual organs, partly or in their entirety, shall be imprisoned for up to 6 years. If the assault results in serious physical injury or health damage, or in death, or if it is considered particularly reprehensible due to the method used, punishment for the offence shall take the form of up to 16 years' imprisonment][1]

[1] *L. 83/2005, 3. gr.*

■ **[[Art. 218 b]**[1] Where a person convicted of a violation of [Article 217, 218 or 218 a],[1] has previously been punished under those articles or has been punished for an offence otherwise connected with acts of deliberate violence, the punishment may be increased by up to one half.

□ Where consent is given for an assault, this will mean that the punishment that would otherwise apply may be reduced. Where the offence falls under Article 217, punishment shall not be applied where it is demonstrated that consent was given.

□ If assault takes place in the course of a scuffle or fight between the perpetrator and the victim, punishment may be reduced or even waved where the offence falls under Article 217. The same applies if the injured party initiated the fight by an attack, making irritating remarks or similar actions.][2]

[1] *L. 83/2005, 4. gr.* [2] *L. 20/1981, 12. gr.*

■ **Art. 219** [Where physical injury or damage to health as covered by Article 218 or Article 218 a results from negligence on the part of another person, punishment shall take the form of a fine or imprisonment of up to 4 years.][1]

[1] *L. 83/2005, 5. gr.*

■ **Art. 220** Anyone who puts a person into a situation in which he or she is helpless, or who abandons someone that he or she is supposed to be looking after in such a situation, shall be imprisoned for up to 8 years.

□ If a mother deserts her child in a helpless condition immediately after the birth and it may be considered that she has done this for reasons of the same type as are mentioned in Article 212, a relatively lighter punishment may be applied and punishment may even be waived if the child has not sustained appreciable damage or injury.

□ Any person who denies a traveller shelter or gives him or her wrong directions shall be sentenced to the punishment prescribed in the first paragraph providing that he or she should have been able to see that the traveller would be exposed to danger as a result of this.

□ Any person who, for profit, for amusement or in another unscrupulous manner puts other people in evident danger of their lives or health shall be sentenced to [imprisonment][1] of up to 4 years.

[1] *L. 82/1998, 113. gr.*

■ **Art. 221** Doing nothing to help a person who is in mortal danger, even though one could help without endangering one's own life or health, or that of others, shall be punishable by …[1] imprisonment of up to 2 years, or by a fine if there are extenuating circumstances.

□ The same punishment shall apply to anyone who does not take measures to have the available means of assistance used to resuscitate those who may still be alive though they appear to be dead, or who does not apply the methods prescribed for

the care of those who have been in a shipwreck or other similar hazardous situations.

[1] *L. 82/1998, 114. gr.*

■ **Art. 222** Anyone who, knowingly or through negligence, provides a child aged under 15, a mentally ill person, a severely mentally retarded person or a drunken person with dangerous objects or substances shall be fined or [imprisoned][1] for up to 3 months.

[1] *L. 82/1998, 115. gr.*

■ **Art. 223** Anyone who neglects to provide a pregnant woman in his or her care with the necessary obstetric help with the result that the child's life or health, or that of the mother, is jeopardized, shall be fined or [imprisoned for up to 1 year].[1]

[1] *L. 82/1998, 116. gr.*

■ **Art. 224** …[1]

[1] *L. 101/1976, 1. gr.*

Chapter XXIV. Violations of personal freedom.

■ **Art. 225** Forcing a person to do something, to suffer something or not to do something by using physical violence against the person or threatening to use physical violence or deprivation of freedom against the person or his or her close relatives, or making false allegations about criminal or shameful actions on the part of the person or the person's close relatives, or making other similar allegations, even if they are true, where the compulsion involved is not sufficiently justified in terms of the end which the threat is intended to achieve or, finally, threatening to cause substantial damage to, or destruction of, the person's property, shall be punished by a fine …[1] or up to 2 years' imprisonment.

[1] *L. 82/1998, 117. gr.*

■ **Art. 226** Any person who deprives another of his or her freedom shall be imprisoned for up to 4 years …[1]

□ Where deprivation of freedom was effected for profit, or was long-lasting, and where a person was committed without authorisation to a mental home, taken to other countries or given into the power of persons who had no right to be in such a position, punishment shall take the form of imprisonment of not less than 1 year and up to 16 years, or for life.

[1] *L. 82/1998, 118. gr.*

■ **Art. 227** If an offence under the second paragraph of Article 226 was committed through gross negligence, the punishment shall take the form of a fine …[1] or up to 1 year's imprisonment.

[1] *L. 82/1998, 119. gr.*

■ **[Art. 227 a** [Anyone convicted of the following acts, one or more, for the

purpose of sexually using a person or for forced labour or to remove his/her organs shall be punished for human trafficking by up to [12 years' imprisonment]:[1)]

1. Procuring, transporting, handing over, housing or accepting someone who has been subjected to unlawful compulsion under Article 225 or deprived of freedom [as covered by the fires paragraph of Article 226] ,[1)] or threatened as defined in Article 233 or subjected to unlawful deception by awakening, strengthening or utilizing the lack of understanding concerning circumstances or by exploiting the position of vulnerability of the person concerned.

2. Procuring, transporting, handing over, housing or accepting an individual younger than 18 years of age.

3. Rendering payment or other gain in order to acquire approval from a person who has control of another person's actions for the exploitation of that person.

☐ The same penalty shall be applied to a person accepting payment or other gain under indent 3 of the first paragraph..

☐ If a violation under the first paragraph is committed against a child, this shall be considered as an aggravating factor when deciding the severity of the punishment.

☐ The same penalty shall be applied to anyone convicted of the following acts, one or more, for the purpose of facilitating human trafficking:

1. Forging a travel or identity document.

2. Acting as an intermediary in obtaining, or providing, such documents.

3. Retaining, removing, damaging or destroying the travel or identity documents of another individual.][2)]][3)]

[1)] *L. 72/2011, 1. gr.* [2)] *L. 149/2009, 6. gr.* [3)] *L. 40/2003, 5. gr.*

Chapter XXV. Defamation and violation of personal privacy.

■ **Art. 228** Any person who pries into letters, documents, diaries or other such materials containing information about another person's private affairs, having gained access to the materials by trickery, opened letters, broken into a locked desk, cabinet, etc., or employed another similar method, shall be fine …[1)] or imprisoned for up to 1 year. up to one year's imprisonment. [The same punishment shall apply to anyone who unlawfully obtains access to other persons' data or programs stored in a machine-readable format.][2)]

☐ The same punishment shall apply to the destruction or concealment of the private materials referred to in the first paragraph.

☐ Any person who pries into another person's storage area [desk, cabinet, etc.] without sufficient reason shall be fined or [imprisoned][1)] for up to 3 months.

[1)] *L. 82/1998, 120. gr.* [2)] *L. 30/1998, 4. gr.*

■ **Art. 229** Any person who publicly discloses the private affairs of another person

in the absence of sufficient reason to justify the action shall be fined or [imprisoned][1] for up to 1 year.

[1] *L. 82/1998, 121. gr.*

■ **Art. 230** Any person who is engaged, or has been engaged, in a position for the pursuit of which an official appointment, licence or recognition is necessary and who discloses information about other people's private matters which should be kept secret and of which he or she has become aware through the position shall be fined or [imprisoned for up to 1 year].[1] The same punishment shall apply to offences of the same type by persons who have assisted the persons listed above in the course of their work.

[1] *L. 82/1998, 122. gr.*

■ **Art. 231** Any person who, without authorisation, bursts into another person's house or ship or into another place that he or she is not authorised to enter, or who refuses to leave the place when urged to do so, shall be fined or [imprisoned][1] for up to 6 months. However, …[1] imprisonment of up to 1 year may be imposed in the event of a serious offence, for example if the perpetrator was armed at the time or employed violence or a threat of violence, or if the offence was committed by several persons together.

[1] *L. 82/1998, 123. gr.*

■ **Art. 232** [A person who violates a restraining order or order to leave the home under the Restraining Orders and Occupation Orders Act shall be fined or imprisoned for up to 1 year. In the event of a repeated or gross violation, punishment may take the form of up to 2 years' imprisonment.][1]

□ Any person who publicly persecutes another person by making knowingly false statements designed to lower his or her standing in the public estimation shall be fined or [imprisoned][2] for up to 1 year.

[1] *L. 85/2011, 20. gr.* [2] *L. 82/1998, 124. gr.*

■ **Art. 233** Anyone who makes a threat of committing a criminal act, the threat being designed to cause another person to fear for his or her life or health, or well-being, or that of other persons, shall be fined …[1] or imprisoned for up to 2 years.

[1] *L. 82/1998, 125. gr.*

■ **[Art. 233 a** [Anyone who publicly mocks, defames, denigrates or threatens a person or group of persons by comments or expressions of another nature, for example by means of pictures or symbols, for their nationality, colour, race, religion, sexual orientation or gender identity, or disseminates such materials, shall be fined or imprisoned for up to 2 years.][1]][2]

[1] *L. 13/2014, 2. gr.* [2] *L. 96/1973, 1. gr.*

■ **[Art. 233 b** Anyone who insults or denigrates his or her spouse or ex-spouse, child or other closely-related person, the offence being considered as constituting

serious defamation, shall be imprisoned for up to two years.][1)]

[1)] *L. 27/2006, 3. gr.*

■ **Art. 234** Anyone who defames another person by insults in word or deed and anyone who disseminates such defamation, shall be fined or [imprisoned][1)] for up to 1 year.

[1)] *L. 82/1998, 127. gr.*

■ **Art. 235** Making insinuations about another person of a nature that would damage his or her reputation, or spreading such insinuations about, shall be punishable by fines or [imprisonment][1)] of up to 1 year.

[1)] *L. 82/1998, 128. gr.*

■ **Art. 236** Making or disseminating a defamatory insinuation against one's better knowledge shall be punishable by …[1)] up to 2 years' imprisonment.

□ If an insinuation is made or disseminated publicly even though the person making it had no reason to believe it to be correct, this shall be punishable by a fine …[1)] or up to 2 year's imprisonment.

[1)] *L. 82/1998, 129. gr.*

■ **Art. 237** Someone who upbraids another person with something without any occasion to do so shall be fined, even if he or she is telling the truth.

■ **Art. 238** In an action for defamation, it is not permitted to submit evidence of a criminal action of which the defendant has been acquitted by a final judgment in criminal proceedings in Iceland or abroad.

□ If someone who has been given a criminal sentence for an offence subsequently has a restitution of his or her civil rights, the accusation may not be levelled at him or her again, and evidence of the offence will therefore not prevent punishment in such a situation.

■ **Art. 239** Punishment under Article 234 and Article 235 may be waived if improper conduct on the part of the party who considers he or she has been offended gave rise to the defamation, or if he or she has repaid the offence in kind.

■ **Art. 240** If defamation is directed at a deceased person, the punishment shall take the form of a fine or [up to 1 year's imprisonment].[1)]

[1)] *L. 82/1998, 130. gr.*

■ **Art. 241** Offensive remarks may be judged null and void in an action for libel if the injured party so requests.

□ A person convicted of making a defamatory insinuation may be sentenced to pay the injured party, if he or she so requests, a suitable sum of money to cover the cost of publishing the judgment, its key terms or even the premises on which it is based, according to what is considered necessary, in one or more public newspapers or other publications.

■ **Art. 242** The offences covered in this Chapter shall be [prosecuted][1] as follows:

1. [Violations of the provisions of Articles [232][4], 233, 233 a and 233 b shall be made the subject of …[1] indictments.][2]

2. a. [Violations of Articles 230 and 231 shall be made the subject of indictments at the request of the injured party.][5]

b. [Where a defamatory insult or insinuation has been directed at a person who is, or has been, a civil servant, and the insult or insinuation has some bearing on his or her work, such an offence shall be made the subject of …[1] an indictment at his or her request.][3]

c. If a defamatory insinuation has been made in writing, but either anonymously or with an incorrect or fabricated signature, the offence shall be made the subject of …[1] an indictment if the injured party so requests.

3. Legal proceedings arising from other offences may only be instituted by the injured party.

[1] *L. 88/2008, 234. gr.* [2] *L. 27/2006, 4. gr.* [3] *L. 71/1995, 3. gr.* [4] *L.44/2015, 1. gr.* [5] *L.44/2015,2. gr.*

Chapter XXVI. Enrichment offences.

■ **Art. 243** Punishment shall only be imposed for the offences covered in this Chapter if they are committed for the purpose of enrichment.

■ **Art. 244** Theft of items of value or power sources shall be punished by up to 6 years' imprisonment.

□ If a theft offence is particularly gross, e.g. in terms of the value of that which is stolen, its nature or how it was stored, or the method employed in the theft, or the danger accompanying it, and whether the theft was committed by many persons working together or whether the same person has committed many acts of theft, then the punishment shall normally not be less than 3 months' imprisonment.

■ **Art. 245** Looting shall be subject to the same punishment as theft.

■ **Art. 246** Appropriation of objects found, or of objects that come into one's keeping independently of any action on one's own part, shall be punished by a fine …[1] or up to 3 years' imprisonment.

[1] *L. 82/1998, 131. gr.*

■ **Art. 247** Embezzlement of funds or other items of value in one's keeping but owned by another person, without this falling under Article 236, shall be punished by up to 6 years' imprisonment.

□ The unauthorised use of another person's money for one's own needs shall be punished in accordance with the first paragraph, irrespective of whether or not there was an obligation to keep the money separate from one's own.

■ **Art. 248** Inducing a person to take an action or not to act by unlawfully arousing,

reinforcing or making use of an incorrect or unclear notion on the person's part regarding some event or circumstance, and so taking money from the person, or from other persons, shall be punished by up to 6 years' imprisonment.

■ **Art. 249** If a person who has been put in a position to do something that will bind another person in an obligation, or who has control of funds on behalf of other persons, abuses this position, the person shall be punished by up to 2 years' imprisonment, and in the case of a very serious offence the punishment may be increased to up to 6 years' imprisonment.

■ **[Art. 249 a** Unlawfully modifying, adding to or destroying computer software, or data or programs stored in machine-readable form, or taking other measures designed to influence the outcome of computer processing, shall be punished by up to 6 years' imprisonment.][1)]

[1)] *L. 30/1998, 5. gr.*

■ **Art. 250** Any person convicted of the following offences shall be punished by up to 6 years' imprisonment for fraudulent settlement:

1. Denying having accepted a monetary loan or other loan or payment for which a recompense is supposed to be made, or refusing to perform a duty by means of wrongly using evidence.

2. Selling, mortgaging, appropriating or disposing in some other manner of one's funds to which another person has acquired the rights of such a nature that this action is not compatible with that person's rights.

3. Taking any action, after one's estate has been put into liquidation or [while having a licence for financial restructuring or entering into a composition without prior bankruptcy proceedings],[1)] that is designed to avoid having the assets or claims of the estate being available for the benefit of its creditors.

4. Abridging the right of a creditor to obtain satisfaction in one's assets by giving false information, making away with assets, making pro forma deeds, giving inappropriately lavish gifts or spending lavishly, selling assets for incongruously low prices, paying, or ensuring the payment of, claims that are not due for payment, or paying or ensuring the payment of relatively high claims that are due, incurring new debts so as to weaken one's financial position or other similar measures.

□ Where an offence listed in item 4 above is committed in order to serve the interests of one creditor to the detriment of others, that creditor shall only be punished if he or she had the debtor give him or her favourable treatment at a time when the creditor saw that bankruptcy or financial restructuring was imminent.

□ Where an offence as described in item 4 above is committed without any particular secured right being abridged or without a subsequent unsuccessful enforcement measure, bankruptcy proceedings or negotiations on composition without bankruptcy proceedings, court proceedings shall only be brought if the

injured party so demands.

[1] *L. 21/1991, 182. gr.*

■ **Art. 251** Any person who obtains money from a person by threatening to use, or by using, violence against the person or the person's close relatives, depriving the person or the person's relatives of freedom or making false allegations about criminal or shameful conduct on the part of the person or of the person's relatives, or other allegations, even if they are true, if the compulsion involved is not sufficiently justified in terms of the matter giving occasion for the threat or, finally, threatening to cause substantial damage to, or destruction of the person's property, shall be punished by up to 6 years' imprisonment.

■ **Art. 252** Anyone who, by using physical violence or the threat of using it immediately, takes money or other valuables from a person or forces the person to relinquish them, conceals an item that is being stolen, or forces someone to do something or not to do something which results in financial loss for that person or others, shall be imprisoned for not less than 6 months and for up to 10 years. Where the robbery is accompanied by great danger, punishment may take the form of up to 16 years' imprisonment.

■ **Art. 253** Where someone exploits another person's difficult circumstances, naivety, ignorance or the fact that the person is dependent on him or her in order to acquire or reserve for himself or herself, through a legal deed, interests, in such a way that there is an evident difference between these interests and the recompense that is made, or is supposed to be made, for them, or where these interests are made over without recompense, this shall be punishable by …[1] up to 2 years' imprisonment.

[1] *L. 82/1998, 132. gr.*

■ **Art. 254** Unlawfully withholding from its owner an object or other item of value that has been obtained in the manner described in Articles 244, 245 or 247-252, though without the offence falling under those articles, participating in gains from such an offence, assisting another person to retain such gains or encouraging the maintenance of an unlawful consequence of such an offence in some other way shall be punished by up to 4 years' imprisonment. Punishment may, however, take the form of [up to 1 year's imprisonment][1] or a fine if the person accused originally acquired the valuables that were obtained by an enrichment offence in an honest manner.

□ If offences described in the first paragraph are connected with actions punishable under Articles 246 or 253, the punishment shall take the form of a fine …[1] or up to 2 years' imprisonment.

[1] *L. 82/1998, 133. gr.*

■ **Art. 255** Where someone who is to be sentenced for any of the enrichment

offences described above has previously been sentenced for an enrichment offence, the punishment may be increased by up to one half of that which would otherwise have been imposed. If the person has previously been sentenced more than once for enrichment offences, the punishment may be twice as heavy, and in such cases the punishment for robbery may be imprisonment for life.

■ **Art. 256** In the case of offences covered by Articles 244–250, 253 or 254 involving only trifles, providing that the perpetrator has not previously been sentenced for enrichment offences, the punishment may be lowered to …[1] a fine or even waived completely.

☐ …[2]

☐ Where the injured party in offences covered by Articles 244–250 and 254 is a close relative of the perpetrator, prosecution may be dropped at the relative's request.

[1] *L. 82/1998, 134. gr.* [2] *L. 39/2000, 8. gr.*

Chapter XXVII. Miscellaneous offences involving financial rights.

■ **Art. 257** Any person who destroys or damages another person's possessions or deprives the person of them shall be fined …[1] or imprisoned for up to 2 years. [The same punishment shall apply to sending, altering, adding to, deleting or destroying in some other way, without authorisation, data or programs that are stored in machine-readable form and are intended for use in computer processing.][2]

☐ In cases involving extensive damage to property, or where the offence is serious in other ways, or where the guilty party has previously been sentenced for violations of this Article or of Articles 164, 165, the first paragraph of Article 168, the first paragraph of Article 176 or Article 177, up to 6 years' imprisonment may be imposed. [The same shall apply if the damage to property is directed at an aircraft.][3]

☐ Where offences described in the second paragraph above are committed through negligence, they shall be punished by fines …[1] or up to 6 months' imprisonment.

☐ Court proceedings on account of violations under the first and third paragraphs shall only be brought if the injured party so requests.

[1] *L. 82/1998, 135. gr.* [2] *L. 74/2006, 3. gr.* [3] *L. 41/1973, 4. gr.*

■ **Art. 258** Making it impossible, by means of destroying or disposing of one's possessions, for one's creditors (one or more) to receive payment from them shall be punished by a fine …[1] or up to 1 year's imprisonment.

☐ The bringing of court proceedings on account of offences under this Article shall be subject to the same rules as are stated in the last paragraph of Article 250.

[1] *L. 82/1998, 136. gr.*

■ **Art. 259** [Any person who without authorisation uses an automobile, aircraft,

ship or other motorized vehicle belonging to another person shall …[1] be imprisoned for up to 4 years or fined in the case of minor offences or if there are particular extenuating circumstances.

☐ Other unauthorised use of an object belonging to another person which results in injury, damage or substantial inconvenience to that person shall be punished by a fine …[1] or up to 2 years' imprisonment.

☐ Any person who prevents a person from enjoying the right of control over an object in his or her keeping, or the right to keep the object, shall be fined …[1] or imprisoned for up to 6 months.

☐ Court proceedings on account of violations under the second and third paragraphs shall only be brought if the injured party so requests.][2]

[1] *L. 82/1998, 137. gr.* [2] *L. 20/1956, 1. gr.*

■ **Art. 260** Any person who takes unilateral and unlawful action for the satisfaction of his or her rights shall be fined. Offences of this type shall not be made the subject of criminal court proceedings.

■ **Art. 261** If a person commits acts of a type similar to those described in Articles 248–250 without it being demonstrated that this was done for purposes of enrichment, he or she shall be fined …[1] or imprisoned for up to 1 year.

[1] *L. 82/1998, 138. gr.*

■ **Art. 262** [Anyone who, intentionally or through gross negligence, commits a serious offence under the first, second or fifth paragraph of [Article 109 of the Income Tax Act, No. 90/2003],[1] (*cf.* also the second paragraph of Article 22 of the Municipalities' Tax Base Act), the first, second or seventh paragraph of Article 30 of the Tax Deductions at Source Act (*cf.* also Article 11 of the Social Security Tax Act) and the first or sixth paragraph of Article 40 of the Value-Added Tax Act, shall be …[2] imprisoned for up to 6 years. A fine may be imposed in addition in accordance with the provisions of the tax legislation listed above.

☐ The same punishment shall apply to any person who, intentionally or through gross negligence, commits a serious offence under the third paragraph of Article 30 of the Tax Deductions at Source Act, the second paragraph of Article 40 of the Value-Added Tax Act, Articles 37 and 38 (*cf.* Article 36) of the Bookkeeping Act or Articles 83–85, (*cf.* Article 82) of the Annual Accounts Act, including cases where this is done to conceal enrichment offences by others.

☐ An offence shall be considered serious for the purposes of the first and second paragraphs of this Article if it involves a substantial sum of money, if it is committed in a particularly reprehensible manner or if it is committed under circumstances that greatly increase the criminality of the action, and also if the person to be sentenced for any of the offences described in the first or second paragraph has previously been convicted of an offence of the same type or for

another offence covered by those provisions.][3)]

[1)] *L. 129/2004, 33. gr.* [2)] *L. 82/1998, 139. gr.* [3)] *L. 39/1995, 1. gr.*

■ **Art. 263** If a person purchases or accepts items that have been acquired by means of an enrichment offence, and he or she has exhibited gross negligence at the time of acceptance or purchase, the person shall be punished by a fine or by [up to 3 months' imprisonment].[1)] In the event of a repeated offence, or if the perpetrator has previously been convicted of an enrichment offence, imprisonment of up to 6 months may be applied.

[1)] *L. 82/1998, 140. gr.*

■ **Art. 264** [Any person who accepts, makes use of or acquires for himself, herself or other persons gains derived from offences against this Act or from punishable offences against other statutes or, amongst other things, converts such gains, transports, sends or stores them, assists in delivering them or concealing them or information regarding their origin, nature, location or disposal shall be imprisoned for up to 6 years.

□ A person who commits the original offence and also an offence under the first paragraph shall receive the same punishment as is specified there. The provisions of Article 77 shall apply as appropriate.

□ Punishment may take the form of up to 12 years' imprisonment in the case of gains from an offence under Article 173 a.

□ If an offence under the first paragraph is committed through negligence, the punishment shall take the form of a fine or up to 6 months' imprisonment.[1)]

[1)] *L. 149/2009, 7. gr.*

■ **[Art. 264 a** Any person who gives, promises or offers a person who directs an enterprise in business operations, [including an enterprise that is partly or wholly publicly owned],[1)] or does work on its behalf a gift or other gain to which that person is not entitled, to the advantage of that person or that of other persons, in order to have that person do something or not do something, this being at variance with that person's professional duties, shall be imprisoned for up to [3 years],[1)] or fined if there are extenuating circumstances.

□ If a person who directs an enterprise in business operations, [including an enterprise that is partly or wholly publicly owned],[1)] or does work on its behalf, demands, accepts or solicits the promise of gains to which he or she is not entitled, to his or her advantage or that of other persons, and as a consequence does something or does not do something, this being at variance with his or her professional duties, shall be imprisoned for up to [3 years],[1)] or fined if there are extenuating circumstances.][2)]

[1)] *L. 5/2013, 6. gr.* [2)] *L. 125/2003, 4. gr.*

Chapter XXVIII. Provisions on compensation, forfeiture of the right of inheritance, etc.

■ **Art. 265** …[1)]

[1)] *L. 8/1962, 62. gr.*

■ **Art. 266** If a prisoner who is not serving a sentence, or a prisoner who is serving time for *per diem* fines or child maintenance payments commits a breach of discipline, the same punishment may be imposed on him or her as is specified in Article 47 of the Remand Prisoners Act, as provided for in further detail [in a Regulation].[1)] However, the sanction imposed may not result in a lengthening of the time spent in prison.

□ The provisions of Article 48 may be applied to such prisoners, as appropriate.

[1)] *L. 100/1951, 4. gr. Rg. 179/1992, cf. 259/1995.*

■ **Art. 267** …[1)]

[1)] *L. 82/1998, 142. gr.*

Chapter XXIX. …[1)]

[1)] *L. 82/1998, 143. gr.*