

# Police Act

1996 No. 90 13 June

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*Ferill málsins á Alþingi. Frumvarp til laga.*

**Took effect 1 July 1997.** Amended by [l. 83/1997](#) (took effect 6 June 1997), [l. 29/1998](#) (took effect 29 April 1998), [l. 78/1998](#) (took effect 1 July 1998), [l. 121/1999](#) (took effect 30 Dec. 1999), [l. 15/2000](#) (took effect 28 April 2000), [l. 49/2000](#) (took effect 26 May 2000), [l. 155/2000](#) (took effect 1 Jan. 2001), [l. 56/2002](#) (took effect 14 May 2002), [l. 44/2003](#) (took effect 3 April 2003), [l. 56/2004](#) (took effect 14 June 2004), [l. 46/2006](#) (took effect 1 Jan. 2007 except for Art. 6 and the Interim Provisions, which took effect 16 June 2006), [l. 85/2007](#) (took effect 1 July 2007), [l. 34/2008](#) (took effect 31 May 2008 except for the Interim Provision, which took effect 8 May 2008), [l. 82/2008](#) (took effect 1 June 2008, published in Government Gazette 19 June 2008), [l. 88/2008](#) (took effect 1 Jan. 2009 except for Interim Provision VII which took effect 21 June 2008), [l. 147/2008](#) (took effect 1 Jan. 2009), [l. 162/2010](#) (took effect 1 Jan. 2011), [l. 16/2011](#) (took effect 4 Mar. 2011), [l. 82/2011](#) (took effect 1 Sept. 2011 except for the Interim Provision which took effect 30 June 2011), [l. 126/2011](#) (took effect 30 Sept. 2011), [l. 50/2012](#) (took effect 26 June 2012), [l. 51/2014](#) (took effect 31 May 2014 except for Articles 3 and 4, which took effect 1 Jan. 2015), [l. 47/2015](#) (took effect 1 Jan. 2016 except for Interim Provisions and Articles 22 and 23, which took effect on 15 July 2015), [l. 61/2016](#) (took effect 22 June 2016) and [l. 62/2016](#) (took effect 1 Jan. 2017).

If reference is made in this Act to ‘the minister’ or ‘the ministry’, without particular definition of the portfolio involved, these words refer, respectively, to **the minister of justice or the ministry of the interior**, which are responsible for the application of this Act. Information on the fields of responsibilities covered by the ministries in accordance with presidential decrees may be found [here](#).

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## Chapter I. Role of the Police, Etc.

### ■ Article 1 Role.

- 1. Police activities shall be operated by the state.
- 2. The role of the police shall be:
  - a. to maintain public safety and uphold law and order, to seek to ensure the security of citizens under the law and protect the right of ownership, the public interest and lawful activities of all types;
  - b. to seek to prevent offences and to prevent events that interfere with public safety and the security of the state;
  - c. to work on the solving of crimes, stop unlawful conduct and pursue matters in accordance with the provisions of the Code of [Criminal]<sup>b)</sup> Procedure or other statutes;
  - d. to be of assistance to citizens as appropriate and to assist them when hazards threaten;
  - e. to give the authorities protection or assistance with the execution of their functions in accordance with the provisions of the law or tradition, as necessary;
  - f. to collaborate with other authorities and institutions involved in tasks connected with the duties of the police;
  - g. to carry out other tasks that are entrusted to them by law or fall to them by tradition.

<sup>1)</sup>L. 88/2008, 234. gr.

■ **Article 2** *Connections with international law.*

□ In the course of their work, the police shall observe the international legal obligations that Iceland has undertaken.

■ **Article 3** *Police officers.*

□ Those who are appointed or temporarily appointed to work at police functions under [paragraph 4] <sup>1)</sup> of Article 28, or are temporarily engaged under [paragraph 5] <sup>1)</sup> of Article 28, shall be regarded as police officers.

<sup>1)</sup>L. 51/2014, 1. gr.

## **Chapter II. Organisation and Supreme Control of the Police.**

■ **Article 4** *Supreme control of the police.*

□ [The minister] <sup>1)</sup> is the supreme head of the police in Iceland. The National Commissioner of the Icelandic Police shall administer police affairs on behalf of the minister. [The National Commissioner of the Icelandic Police shall be based in Kópavogur unless the minister decides otherwise.] <sup>2)</sup>

<sup>1)</sup>L. 126/2011, 225. gr. <sup>2)</sup>L. 121/1999, 2. gr.

■ **Article 5** *The National Commissioner of Police.*

□ 1. The role of the National Commissioner of Police is:

a. to convey and make known to police commissioners commands and decisions by the supreme executors of state power concerning the functioning of the police by various means, and to take measures to have these decisions implemented in the work of the police and monitor to ensure that this is done;

b. to provide [the minister] <sup>1)</sup> with information on all aspects of police affairs which he or she can use to prepare and base decisions on;

c. to submit proposals to [the minister] <sup>1)</sup> concerning general instructions to police commissioners;

d. to work on, and submit, proposals concerning rationalisation, co-ordination, development and security in the functioning of the police;

e. to handle international contact in the sphere of law enforcement;

f. to give police commissioners assistance and support in their police work;

g. to attend to tasks which, by their nature or due to circumstances, call for centralisation or national co-ordination, or collaboration with the police in another country;

h. to exercise overall control of, or give instructions regarding the execution of, individual law-enforcement operations that require extensive preparation or the participation of police officers from more than one administrative area. The National Commissioner shall, after obtaining the approval of [the minister], <sup>1)</sup> announce his decision to the police commissioner or commissioners involved regarding the direction of each law-enforcement operation with suitable notice;

[i. to maintain a case register covering complaints received by the police about offences, with all the necessary details relating to the cases, a police diary with information about communications sent to the police and how they are dealt with, a register of arrested persons and other registers necessary in the interests of law enforcement in order to avert imminent danger or to counter crime. [The minister] <sup>1)</sup> shall issue more detailed rules <sup>2)</sup> regarding these

registers]; <sup>3)</sup>

[j. to handle civil defence issues on behalf of [the minister]. <sup>1)</sup> <sup>4)</sup>

2. Special tasks to be executed by the National Commissioner are as follows:

a. ...; <sup>5)</sup>

b. [to operate a police investigation and intelligence unit to investigate treason and offences against the constitutional structure of the state and its supreme authorities and to assess the threat of terrorism and organised crime]; <sup>6)</sup>

c. to operate a general department to attend to the systematic recording of information on police affairs, be in charge of the purchase of vehicles, equipment and clothing for the police and conduct regular inspections of police stations and their furnishings and equipment;

d. to operate an international department to attend to international correspondence;

e. [to operate a laboratory to supervise the conduct of forensic site investigations by the police, including the operation of a central police database covering forensic site studies, to handle correspondence with other countries in connection with forensic site studies and collaboration, to maintain a register of missing persons, supervise the work of the Disaster Victim Identification Unit and the issue of guidelines and procedural rules set by the National Commissioner on forensic site studies], <sup>7)</sup>

[f. [to operate a competence assessment committee to give police commissioners advisory opinions regarding the competence of applicants when making appointments to police officer positions in accordance with Article 28. Conclusions reached by the competence assessment committee shall be advisory when appointments are made to senior positions. The minister shall set rules <sup>8)</sup> on the appointment and work of the competence assessment committee, the qualifications of its members, its tasks and working procedures], <sup>9)</sup> <sup>10)</sup>

[g. to operate a civil defence department to handle tasks in the field of civil defence], <sup>11)</sup>

[h. to operate the Centre for Police Training and Professional Development (*cf.* Chapter VIII)]. <sup>12)</sup>

3. [The minister] <sup>1)</sup> shall issue further instructions <sup>13)</sup> on the functions of the National Commissioner of Police.

4. [A Deputy National Commissioner may be appointed, who shall stand in for the National Commissioner.] <sup>9)</sup>

5. When the National Commissioner is connected in such a way with the substance of a case, or with a party, that he or she would be disqualified from sitting as a judge in the case, he or she shall stand down and [the minister] <sup>1)</sup> shall then appoint a person who meets the legal requirements to handle the case.

<sup>1)</sup>L. 162/2010, 141. gr. <sup>2)</sup>Rg. 322/2001, sbr. 362/2008 og 1137/2008. <sup>3)</sup>L. 15/2000, 10. gr. <sup>4)</sup>L. 82/2008, 35. gr. <sup>5)</sup>L. 47/2015, 23. gr. <sup>6)</sup>L. 46/2006, 1. gr. <sup>7)</sup>L. 56/2004, 1. gr. <sup>8)</sup>Rgl. 1153/2014. <sup>9)</sup>L. 51/2014, 2. gr. <sup>10)</sup>L. 78/1998, 1. gr. <sup>11)</sup>L. 44/2003, 10. gr. <sup>12)</sup>L. 61/2016, 1. gr. <sup>13)</sup>Rg. 804/2007.

## ■ Article 6 [Police administrative areas and their control.

[1. Iceland is divided into nine police administrative areas. Control of the police is exercised by police commissioners as follows:

1. The Metropolitan Commissioner of Police.

2. The Western Iceland Commissioner of Police.

3. The West Fjords Commissioner of Police.

4. The Northern Iceland (Western Region) Commissioner of Police.

5. The Northern Iceland (Eastern Region) Commissioner of Police.
  6. The Eastern Iceland Commissioner of Police.
  7. The Southern Iceland Commissioner of Police.
  8. The Suðurnes Commissioner of Police.
  9. The Westman Islands Commissioner of Police.
2. Boundaries between police administrative areas shall be determined in a regulation <sup>1)</sup> issued by the minister, taking account of the structure of other public services in the regions and following consultation with police commissioners, the Association of Local Authorities and regional municipal associations.
3. Following consultation with the police commissioner, the minister shall determine in a regulation <sup>1)</sup> where the police commissioner's headquarters are to be located and where police stations are to be operated.
4. The police commissioner shall decide where staff are to be based, this applying both to the police headquarters and to police stations.
5. Deputy police commissioners may be appointed in the offices of the Metropolitan Police Commissioner and the Suðurnes Police Commissioner. Deputy police commissioners shall stand in for police commissioners (see, however, paragraph 3 of Article 28). Other police commissioners may decide that a member of their staff is to deputise for them, providing that the persons in question meet the conditions of paragraph 2 of Article 28.
6. Police commissioners shall be in command of the police forces in their respective administrative areas. They shall see to day-to-day control and management of the police in their administrative areas and shall be responsible for the execution of police functions within them.
7. The work of the police shall be harmonized and coordinated as far as possible. The minister shall issue further rules <sup>2)</sup> on collaboration between police authorities after receiving the proposals of the National Commissioner.
8. Police commissioners shall exercise supreme control of search and rescue operations in Iceland. Rescue operations under the civil defence structure are subject to separate legislation. The minister shall set rules <sup>3)</sup> on collaboration between the police and search and rescue teams.] <sup>4)</sup> <sup>5)</sup>
- [9. The Director of the National Prosecuting Authority shall exercise control of the police within his or her field of work (*cf.* Article 8), and shall have the standing and general authorisations of a police commissioner under this Act and the Code of Criminal Procedure.] <sup>6)</sup>

<sup>1)</sup>Rg. 1150/2014. <sup>2)</sup>Rgl. 1053/2006. Rgl. 895/2016. <sup>3)</sup>Rg. 289/2003. <sup>4)</sup>L. 51/2014, 3. gr. <sup>5)</sup>L. 46/2006, 2. gr. <sup>6)</sup>L. 47/2015, 24. gr.

**■ Article 7** *Geographical scope of the police.*

1. Police officers have police powers in all parts of the country.
2. The working area of each police officer shall be the administrative area in which he or she is permanently or temporarily appointed, or employed, to work.
3. [The minister] <sup>1)</sup> may decide that part of a police force shall engage in police work in all parts of the country. He or she shall set rules <sup>2)</sup> on the work of that police force and how it is to be commanded.
4. Exceptions from the provisions of paragraph 2 may be made in the following cases:

a. [The National Commissioner may decide, in accordance with a proposal from police commissioners, that the police force in one administrative area shall, on a temporary basis, engage in police work in another administrative area, in which case he or she shall also decide who is to exercise command of it. [The minister] <sup>1)</sup> may, in accordance with a proposal by the National Commissioner, may make provisions on the systematic collaboration between police forces on the execution and direction of particular law-enforcement operations and the transfer of manpower between police forces in a specific area in order to maintain public safety and uphold law and order. In addition, the minister may, in accordance with a proposal by the National Commissioner, entrust police commissioners with specific law-enforcement operations outside their own administrative areas on a temporary basis if this is considered advantageous in terms of local conditions.] <sup>3)</sup>

b. A police officer may cross the boundary of his or her working area in order to complete a police action that he or she has begun within it. In the same way, police officers may execute police work outside their administrative areas if the nature of the operation, or urgent necessity, so requires.

c. A police officer who is at work but is travelling through another police administrative area may intervene in the conduct of persons he or she finds committing offences.

□ 5. The police officer shall inform his or her superior as soon as possible of the measures he or she takes under indents b and c of paragraph 4. In the same way, the police commissioner in the administrative area in question shall be informed without delay about the measures taken by the police officer.

<sup>1)</sup>L. 162/2010, 141. gr. <sup>2)</sup>Rg. 774/1998. Rg. 335/2005. <sup>3)</sup>L. 29/1998, 2. gr.

#### ■ Article 8 [Police investigations.

□ [1. The police shall carry out investigations of offences under the direction of the National Prosecuting Authority or a commissioner of police. Offences shall be investigated in the administrative area in which they were committed (*cf.*, however, the provisions of paragraph 2 of this Article, indent b of paragraph 2 of Article 5 and Article 35.). The minister shall set more detailed rules<sup>1)</sup> in accordance with a proposal by the Director of Public Prosecutions on how investigations are to be directed, when offences shall be investigated under the direction of the National Commissioner of Police under indent b of paragraph 2 of Article 5 and on assistance with investigations. In accordance with a proposal by the Director of the National Prosecuting Authority, the minister shall set more detailed rules on the direction of police investigations and collaboration between the National Prosecuting Authority and police commissioners on the investigation of criminal cases. If particular circumstances favour such a course of action, the minister may, in accordance with a proposal by the Director of Public Prosecutions, determine that the investigation of particular categories of offence in the administrative areas of the commissioners of the Northern Iceland (Western Region) and the Westman Islands shall be carried out in another administrative region.

□ 2. The National Prosecuting Authority shall handle the investigation of violations of Chapter XII, serious violations of Articles 128-129, 179, 247-251, 253-254, 264 and 264a of the General Penal Code, serious violations of the Tax and Customs Acts, violations of legislation involving foreign exchange, competition, securities, credit transactions and other financial activities, environmental protection, health and safety at work, fisheries management and other serious, unusual or organised financial crimes connected with business operations or