
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/EEC 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/EEC), [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. 44/2015](#) (took effect 2 July 2015), [l. 47/2015](#) (took effect 1 Jan. 2016, except the interim provision and Articles 22 and 23, which took effect 15 July 2015), [l. 115/2015](#) (took effect 16 Dec. 2015), [l. 23/2016](#) (took effect 5 Apr. 2016), [l. 80/2017](#) (took effect 30 Sept. 2017), [l. 16/2018](#) (took effect 13 Apr. 2018), [l. 66/2018](#) (took effect 26 June 2018), [l. 141/2018](#) (took effect 1 Jan. 2019) and [l. 144/2018](#) (took effect 29 Dec. 2018).

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 Justice or the Ministry of Justice, 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 ...^v etc.

[„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⁾

[„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⁾

[„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 [Article 194, the second, third or fourth paragraph of Article 206, the first paragraph of Article 210 b, the second paragraph of Article 216, Article 218 a, the second paragraph of Article 225]²⁾ 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 Articles ...²⁾ 197-198 ...²⁾ 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.]³⁾ [The same shall apply to violations of the Act on Punishments for Mass Murder, Crimes against Humanity, War Crimes and Crimes against Peace.]³⁾⁴⁾

¹⁾[L. 101/1976, 2. gr.](#) ²⁾[L. 23/2016, 1. gr.](#) ³⁾[L. 144/2018, 11.gr.](#) ⁴⁾[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]

[23. Conduct covered by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence of 11 May 2011.]^[21]

[24. Conduct covered by the Act on Punishments for Mass Murder, Crimes against Humanity, War Crimes and Crimes against Peace in accordance with international law. Cases under this item may only be brought if the person whom it is intended to prosecute is present in Iceland.]^[22]

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⁾[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.](#) ²¹⁾[L. 23/2016, 2. gr.](#) ²²⁾[L. 144/2018, 11. 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.