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**LBK No. 1034 of 29/10/2009**  
**Historical**  
(Criminal Act)  
Publication date: 06-11-2009  
Ministry of Justice



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### Subsequent amendments to the Regulation

- Act No. 1107 of 01/12/2009 § 1
- Act No. 651 of 15/06/2010 § 1
- Act No. 711 of 06.25.2010 § 1
- Act No. 716 of 06.25.2010 § 2
- Act No. 718 of 06.25.2010 § 11
- LBK No. 1235 of 26/10/2010

### The document incorporated regulations

- Consolidated Act No. 1068 of 6.11.2008
- Act No. 1404 of 27/12/2008
- Act No. 319 of 04.28.2009
- Act No. 501 of 12.06.2009

### Additional documents:

- All notices, etc. and circulars etc. to this Decree
- Decisions made under this provision
- Reports by the Ombudsman using this law

[the whole text](#)

## Announcement of the Criminal Code

Hereby promulgated Criminal Code, cf. Consolidated Act no. 1068 of 6 November 2008, with the changes imposed by § 7 of Law no. 1404 of 27 December 2008, § 1 of Law no. 319 of 28 April 2009 and § 1 of law no. 501 of 12 June 2009.

### General part

the first chapter

*introductory provisions*

**§ 1.** Penalties may be imposed only for a relationship if criminality is prescribed by law, or as quite be treated as such. With regard to Chapter 9 mentioned legal consequences apply a similar rule.

**§ 2.** This Act Chapters 1-11 will, to the extent not otherwise provided for, apply to all offenses.

2. Chapter

*General conditions for the penal provisions applicable*

**§ 3.** Is it by an action admissible existing criminal law different from that applied when performing the action settled the question of criminality and punishment by the recent law, however, the decision does not therefore have to be more stringent than under the older law. Based termination of the statutory validity of exterior penalty blamed irrelevant matters, the action judging by the older law.

*PCS. 2.* Void outside the latter case, by law, an action criminality is also disregarded the order such action sentenced but not consummated punishment. The offender may require that the question of penalties lapse by prosecution authority's action brought before the court which has påkendt proceedings at first instance. The decision is made by order.

**§ 4.** Whether the offense shall carry legal consequences of such a nature as in §§ 56-61, 62-70, 73 and 79 above, determined after the action inadmissible applicable law.

*PCS. 2.* Other legal consequences of the action occurs, so far nothing opposite is determined only when this was provided also by the action of making law.

*PCS. 3.* The provision in § 3, paragraph. 2, apply mutatis mutandis to other legal consequences of the action than penalty if their entry was subject to the action, criminality.

**§ 5.** Where elevated punishment or other legal consequences prescribed in cases of repeated coming decisions taken under previous law, considering their content right decisions under the Act, under which the present action is evaluated.

**§ 6.** Under Danish criminal jurisdiction hears actions undertaken

- 1) in the Danish state,
- 2) the Danish vessel located within a foreign jurisdiction, a person belonging to the vessel or as a traveler comes with it or
- 3) the Danish vessel which is outside of a jurisdiction.

**§ 7.** Under Danish criminal jurisdiction hears actions carried out in a foreign jurisdiction by a person who at the time of the indictment Danish nationals resident in the Danish state or have similar permanently stay in this country if

- 1) The act is also punishable under the law at the crime scene (dual criminality) or
- 2) the offender also the time of the crime have said attachment to the country and the action
  - a) include sexual exploitation of children and female circumcision or
  - b) is aimed at anyone who commits the offense when the said attachment to the country.

*PCS. 2.* Under Danish criminal jurisdiction hears further actions carried out outside the jurisdiction of a person who at the time of the charge has to in paragraph. 1 mentioned attachment to the country if the actions of the species can cause more severe punishment than imprisonment for four months.

*PCS. 3.* Subsection. 1 pt. 1 and paragraph. 2 shall apply mutatis mutandis with regard to the actions of a person who at the time of the charge is a national or resident of Finland, Iceland, Norway or Sweden, and staying in this country.

**§ 7a.** Under Danish criminal jurisdiction hears actions carried out in a foreign jurisdiction and which is aimed at anyone who commits the offense when Danish nationals resident in the Danish state or have similar permanently stay in this country if the action also is punishable under the law at the crime scene (dual criminality) and under Danish law be punishable by imprisonment for at least six years.

*PCS. 2.* Danish jurisdiction under subsection. 1 is subject to the action comprises

- 1) deliberately kill,
- 2) aggravated assault, deprivation of liberty and robbery
- 3) a non-serious crime,
- 4) a crime against sexual morality or incest or
- 5) female genital mutilation.

*PCS. 3.* Under Danish criminal jurisdiction hears further actions carried out outside the jurisdiction, and which is aimed at anyone who commits the offense when it has to in paragraph. 1 mentioned attachment to the country if the actions of the species can cause more severe punishment than imprisonment for four months.

**§ 7 b.** When Danish jurisdiction over a legal person is subject to double jeopardy, it does not include a requirement that the legislation on the crime scene provides for criminal liability for legal persons.

**§ 8.** Under Danish criminal jurisdiction hears actions carried out outside the Danish state, regardless of where the perpetrator belongs, when

- 1) the act violates the Danish state's independence, security, constitution or government or an official duty to the state,
- 2) the act violates the interests of the legal protection of the Danish state presupposes a special connection to this,
- 3) the action violates an obligation which the law according to the responsibility of the offender to observe abroad,
- 4) the action infringing an official duty incumbent upon the perpetrator of the Danish vessel
- 5) the action is covered by an international provision under which Denmark is required to have jurisdiction, or
- 6) the extradition of suspects for prosecution in another country is refused, and the action in so far as it is made in a foreign jurisdiction, is punishable under the law at the crime scene (dual criminality) and action under Danish law be punishable by imprisonment for at least 1 year.

**§ 8 a.** Under Danish criminal jurisdiction hears actions carried out outside the Danish state when actions of the species covered by the Statute of the International Criminal Court if the offense is made by a person who at the time of indictment

- 1) Danish nationals resident in the Danish state or have similar permanently stay in this country or
- 2) find themselves in this country.

**§ 8 b.** Under Danish criminal jurisdiction hears actions carried out outside the Danish state when the action is covered by § 183a and is made by a person who at the time of indictment

- 1) Danish nationals resident in the Danish state or have similar permanently stay in this country or
- 2) find themselves in this country.

*PCS. 2.* Prosecution for offenses covered by paragraphs. 1 may also include violations of §§ 237 and 244-248, which is made in connection with the violation of § 183 a.

**§ 9.** Actions shall be considered made when the perpetrator was in when performing the action. In the case of legal persons considered actions undertaken where the action or actions resulting responsibility for the legal person is made.

*PCS. 2.* If an action criminality is dependent on or affected by affecting or intended consequence, considered the action also to have been made where the impact occurred, or where the offender has deliberately to that effect should occur.

*PCS. 3.* Test and medvirkenhandling considered as being made in the Danish territory if the perpetrator was in this country when performing the action, regardless of whether the offense is enforceable or intended consummated outside the Danish government.

*PCS. 4.* When a portion of an offense committed in the Danish state, considered the offense as a whole to have been committed in this country.

**§ 9 a.** An offense relating to text, audio or video materials, etc., as by actions abroad are made widely available in this country through the Internet or a similar system to disseminate information deemed committed on Danish territory if material has special relation to this country.

**§ 10.** When an action is prosecuted in this country, the decision on punishment as well as other legal consequences of the action taken under Danish law.

*PCS. 2.* When Danish jurisdiction is subject to the dual criminality can not face heavier punishment than provided for by law at the crime scene.

**§ 10 a.** A person against whom outside the Danish government is a criminal judgment, may not be prosecuted in this country for the same offense when this is excluded by Denmark's international commitments on the recognition of Criminal legal force.

*PCS. 2.* In other cases, a person against whom there outside the Danish government is a criminal judgment may not be prosecuted in this country for the same offense if

- 1) the person has been finally acquitted
- 2) the sentence has been served or is being served or has lapsed under the law of the forum or
- 3) the person is found guilty, without the aid of any penalty.

*PCS. 3.* Subsection. 2 do not apply when

- 1) the foreign conviction related to acts which
  - a) shall be considered made in the Danish state pursuant to § 9 or § 9 or
  - b) subject to § 7 paragraph. 1 pt. 2 or § 8, no. 1 or 2,
- 2) prosecution in this country takes place under the Judicial Code § 985 a or
- 3) recognition of the foreign sentence would be manifestly incompatible with Danish legal principles.

*PCS. 4.* In the cases referred to in paragraph. 3, no. 1, the prosecution in this country does not happen when prosecution of the forum happened upon the request of the Danish Public Prosecutor.

**§ 10 b.** In case of prosecution against a person who, for the Danish government has imposed a penalty for the same act, the penalty imposed in this country reduced to the extent that the foreign penalty is enforced.

**§ 11.** If a person who is a Danish citizen, resident in the Danish state or have similar residence in this country, in a foreign state punished for an act which according to Danish law may result in disqualification or forfeiture of vocation or profession or other rights can unworthiness happen after the public prosecution in this country.

**§ 12.** The application of §§ 6-11 restricted by the international law recognized exceptions.

### 3. Chapter

#### *Criminal Family Conditions*

**§ 13.** Actions undertaken in self-defense is not punishable, insofar as they have been required to withstand or avert an ongoing or imminent improperly attack and not manifestly go beyond what the terms of infestation hazard, attack the person and the affected rule of good sense is justifiable.

*PCS. 2.* exceeds any boundaries of legitimate self-defense, he is not punishable, if this is reasonably justified in the attack provoked fear or excitement.

*PCS. 3.* Similar rules apply to actions that are necessary in a lawful way to obtain lawful order obeyed, effect a lawful arrest or prevent a prisoner or forced placed person evacuation.

**§ 14.** An act that would otherwise constitute an offense punishable not when it was necessary to prevent the threatening damage to persons or goods, and the offense should be considered to be of relatively minor importance.

**§ 15.** Actions made by children under 15 years are not punished.

**§ 16.** Persons at the crime time was unpredictable because of mental illness or conditions that may be treated as such, not punished. The same applies to persons who were mentally retarded to a greater extent. Found offender as a result of the use of alcohol or other drugs transient in a state of mental illness or a condition that may be treated as such, can, however, penalties imposed when special circumstances.

*PCS. 2.* Persons at the crime time was mentally retarded in a slight degree, not punished unless special circumstances to impose punishment. The same applies to people who found themselves in a state which, although must be equated with mental retardation.

**§§ 17-18.** (Canceled)

**§ 19.** Negligence is punishable by those of this Act offense provided only when it is particularly provided. On the other offenses are concerned straffebud usable even when the offense was committed by negligence, unless the contrary has specific powers.

**§ 20.** Where punishment or increased penalties conditional on an intentional offense has a certain unintentional consequence, enters this punishment only when such a result can be attributed to the perpetrator as negligent, or he has failed after ability to avert it after he is been aware of the danger.

#### 4. Chapter

##### *Attempt and aiding*

**§ 21.** Acts which aims to promote or cause the execution of a crime punishable when not enforced, which attempts.

*PCS. 2.* On the offense prescribed punishment can be experimentally reduced, especially when the experiment demonstrates how little strength or firmness of the nefarious intent.

*PCS. 3.* As far as not otherwise provided, shall be punished trials only when the offense is liable to a penalty that exceeds imprisonment for four months.

**§ 22.** Tests are not punished when the offender voluntarily and not because of random obstacles to gerningens execution or for achieving it by this intended purpose, refrain from implementing or hinder the execution or take actions that would have prevented the execution, if not him unwittingly, had failed or other means was averted.

**§ 23.** The respect of an offense given penal provision includes all participants by encouraging, word or deed has contributed to the act. The punishment may be reduced for those who only wanted to make a minor assistance or strengthen an already grasped intentionally, and when the offense is not consummated or an intentional involvement has failed.

*PCS. 2.* The penalty may also be reduced for those who contribute to the violation of a specific duty conditions, but even standing outside it.

*PCS. 3.* As far as not otherwise provided, the punishment of complicity in crimes not punishable by a higher penalty than imprisonment for four months, lapse when the instrumental only wanted to make a minor assistance or strengthen an already grasped intentionally and when his involvement due to negligence.

**§ 24.** The instrumental not punished if he under the conditions of § 22 specified conditions hinder the execution or take actions that would have prevented the execution, if not him unwittingly, had failed or other means was averted.

#### Chapter 5

##### *Criminal liability of legal persons*

**§ 25.** A legal person can be fined if it is determined by or under the Act.

**§ 26.** Provisions on criminal liability for companies, etc., unless otherwise specified, any legal person, including public and private limited companies, cooperatives, partnerships, associations, trusts, estates, local and state authorities.

*PCS. 2.* Furthermore, such provisions include sole proprietorships, as far as these particular taking into account their size and organization comparable to in paragraph. 1 mentioned companies.

**§ 27.** Criminal liability of a legal person assumes that within its activities infringement attributable to one or more of the legal person associated person or legal entity as such. As far as punishment for attempt, § 21 paragraph. 3, mutatis mutandis.

*PCS. 2.* Government authorities and municipalities can only be punished for infringements committed by the pursuit of activities corresponding to or equivalent to those undertaken by private.

**§§ 28-30.** (Canceled)

**§ 31.** The general penalties are imprisonment and fine.

**§ 32.** (Canceled)

**§ 33.** The prison sentenced for life or time, not less than 7 days and not more than 16 years.

*PCS. 2.* In cases where there is a legal basis to increase the punishment prescribed for the offense, may nevertheless sentenced to imprisonment for up to 20 years.

*PCS. 3.* The penalty may not exceed imprisonment for eight years for an offender who was 18 years old when the deed was done.

*PCS. 4.* When imprisonment imposed for a shorter period than three months, then the penalty in days or in months and years.

**§§ 34-37.** (Canceled)

**§ 38.** When two-thirds of the Criminal time, at least 2 months, endured determines Justice or the person authorized by him, whether the offender should be released on probation.

*PCS. 2.* Release the test can be done earlier when special circumstances and the offender has already served half of punishing the time, at least 2 months. Determination shall be taken by the Minister of Justice or, as he with regard to certain groups of cases authorized by.

*PCS. 3.* Parole can generally not occur when the residual penalty time is less than 30 days.

*PCS. 4.* Probation can not be done with regard to the unconditional part of a sentence according to § 58 paragraph. First

*PCS. 5.* Release the test requires that the offender's circumstances do not release inadvisable that guaranteed him appropriate stay and work or other maintenance, and that he declares to abide by the terms of the release, as determined in accordance with § 39 paragraph. 2nd

**§ 39.** Release on condition that he is not in probation commit crime. The probation period may not exceed three years. If the remaining penalty time exceeds three years, may nevertheless be a probationary period of up to five years.

*PCS. 2.* It may be specified as a condition for release that the throughout the trial period or part of this subject to supervision. Additional terms may be determined in accordance with § 57. Terms of stay in home, hospital or other institution has no valid for no longer than the remaining penalty time.

**§ 40.** Commits the parolees new criminal offense during the probation period, and shall be within its expiration action upon which he is accused relationship, the court decision in accordance with § 61 paragraph. 2 so that remain to be equated with a suspended sentence. Have parole pursuant to § 40a paragraph. 3 or 4 has been associated with conditions of community service, the level of a common criminal given the extent of the performed community service.

*PCS. 2.* Violating the parolees also the stipulated conditions, the Minister of Justice

- 1) assigning warning,
- 2) change the terms and extend the probationary period within the § 39 prescribed maximum time or
- 3) under exceptional circumstances, determine that he is to be inserted to the protruding presence of residual penalty.

*PCS. 3.* Commit the parolees offense of probation without being indicted for this, the provisions of subsections. 2 correspondingly. The same applies where the parolees abroad convicted of a criminal offense committed during the probation period without relating to the decision taken a position on the enforcement of the residual penalty.

*PCS. 4.* Decisions pursuant to paragraph. 2, see. Paragraph. 3, can only be taken within the probationary period.

*PCS. 5.* event that no provision for enforcement of the residual penalty under paragraph. 1 or paragraph. 2, see. Paragraph. 3, considered the punishment for served at the time when parole took place.

*PCS. 6.* If reinstatement is determined in accordance with paragraph. 2, see. Paragraph. 3 may be renewed parole happen even if the timing requirements of § 38 paragraph. 1 and 2, or § 40a paragraph. 1 are not met with respect to residual penalty. By decision after the first section. must take into account the extent of community service, which he has carried out pursuant to § 40a paragraph. 3 or 4. With respect to probation after such parole applies in § 39 appointed times less the time during which the person has previously been paroled.

**§ 40 a.** When half of the Criminal time, but at least four months, has endured the Minister of Justice or the person authorized by the Minister, in addition to in § 38 paragraph. Two mentioned cases, decide that the offender be released on probation if considerations of law enforcement is not expected to speak against it, and

- 1) The offender has made a special effort not repeating any crime, including by participating in treatment or training, or
- 2) the offender's circumstances so warrant.

*PCS. 2.* It lays down as a condition of parole under subsection. 1, the offender shall be subject to supervision until the time when the end of two-thirds of the Criminal time. After this time there may stipulate that the person remains subject to supervision.

*PCS. 3.* In terms of parole under subsection. 1 pt. 1 may be determined in one or more additional terms in accordance with § 57 and the condition that the offender has to perform unpaid community service.

*PCS. 4.* As conditions of parole under subsection. 1 pt. 2, provides that the offender has to perform unpaid community service. Provision may be additional terms in accordance with § 57th

*PCS. 5.* Terms of community can not be extended beyond two-thirds of the Criminal time. The Authority may decide that the condition of community must last beyond this point if special circumstances, however not exceeding the total penalty time.

*PCS. 6.* Probation under this provision presupposes that the offender's circumstances do not release inadvisable to have secured the convicted appropriate stay and work or other maintenance, as well as the offender is appropriate and agrees to comply with the conditions for release, as determined under subsection. 3 and 4.

*PCS. 7.* The provisions of § 38 paragraph. 4, § 39 paragraph. 1 and paragraph. 2, the third section., § 40 and § 63 paragraph. 1, point 1., Apply mutatis mutandis.

**§ 41.** After 12 years of a sentence of life imprisonment is served, determines the Minister of Justice whether the offender should be released on probation.

*PCS. 2.* Release the test requires that the offender's circumstances do not release inadvisable to have secured the appropriate stay and work or other maintenance, and that he declares to abide by the terms of the release, as determined under subsection. 3, 3rd paragraph.

*PCS. 3.* Release on condition that the convicted not of probation commits a criminal offense and that the person complies with the conditions as may be specified. The probation period may not exceed five years. § 57 shall apply accordingly.

**§ 42.** Commits the parolees new criminal offense during the probation period, and shall be made prior to its expiration action upon which the accused of the relationship, the court may by order decide that the reinstatement to endure presence of lifetime penalty. Where circumstances so warrant, the court may instead impose punishment only for the new relationship, possibly in connection with a change of the conditions of parole.

*PCS. 2.* Violating the parolees in general terms, see § 40 paragraph. 2-5, see. § 41 paragraph. 3, mutatis mutandis.

**§ 43.** On full or partial remission of a penalty conditional pardon may be made as a condition for the pardon of the provisions of § 40 paragraph. 1-5, or § 42 apply mutatis mutandis.

**§§ 44-49.** (Canceled)

**§ 50.** Fine accrue to the Treasury.

*PCS. 2.* Fine can be imposed as an additional sentence to the second stranding speed when indicted by the offense has achieved or intended financial gain to themselves or others.

*PCS. 3.* The bødeafeldte may not require the fine paid or replaced by others.

**§ 51.** When the fine under this law is imposed or accepted in court, established the penalty of a daily fine. This does not apply fines imposed as a supplementary punishment for another sanction. Dagbødernes number determined by reference to the offense characteristics and in § 80 these facts in at least one and not more than 60. The amount of each penalty has been fixed at an amount equal to his average daily income, although the amount of fixing should be given to bødeafeldtes living conditions including his fortune breadwinner duties and other conditions that affect the ability to pay. Dagboden can not be set at an amount less than 2 kr.

*PCS. 2.* When the fine must be fixed for an offense which he has obtained or sought to obtain significant economic benefit to themselves or others, and the use of a daily fine will result in fines valued lower than deemed reasonable given the size of the profit that either is or could be from the offense, the court may, however, instead of daily payments using other fines.

*PCS. 3.* In setting any fines will be within the limits as consideration for the offense nature and in § 80 above circumstances sufficient unto you, be to give special attention to the guilty to pay and obtained or intended profits or savings.

*PCS. 4.* The police may other public authorities obtain the information necessary for setting the fine. Furthermore, the police from the registers held by public authorities, including the courts, require the information concerning his circumstances which are important for setting the fine. The information communicated in writing or by direct data transfer.

**§ 52.** (Repealed)

**§ 53.** Included a fine not enter in his place one alternative sentence of imprisonment.

**§ 54.** When a fine imposed by or adopted by a court, the court simultaneously with the fine down decision on the transformation duration of punishment. The fine was determined as a daily penalty, is observed by commutation of the penalty calculation that one day in prison corresponds to one daily penalty, however, that the alternative penalty can not be less than two days. Is the fine provided otherwise, the alternative penalty shall not be less than two days and no more than 60 days. In special cases, the alternative penalty may be increased up to 9 months.

*PCS. 2.* Is part of the fine paid, the alternative penalty relatively decreasing, except that a portion of a day is counted as a whole day, and that the alternative penalty can not be reduced below the aforementioned minimum time. Part of the fine serving, but the rest offered paid out in the calculation of this residue alone account the whole day in which alternative sentence is served.

*PCS. 3.* For fines on legal persons be no alternative sentence.

**§ 55.** Fine of 10.000 kr. Or less adopted by intimation from the police, served on the following scale:

The fine:	Forvandlings- penalty:
0-499 kr.	2 days
500-999 kr.	4 days
1,000 to 3,999 kr.	6 days
4000 to 5999 kr.	8 days
6,000 to 10,000 kr.	10 days

For any fines that are imposed by or adopted by a court determined the alternative penalty of the district court in the jurisdiction where the person lives or resides.

*PCS. 2.* The provisions of § 54 paragraph. 1, last sentence and paragraph. 2, apply *mutatis mutandis*.

## 7. Chapter

### *A suspended sentence*

**§ 56.** If the court finds it un-called that punishment comes to enforcement, states in its judgment that the institution of criminal fixing exposed and expire after a probationary period.

*PCS. 2.* If it is deemed more appropriate, the court may specify the sentence and determine the execution postponed and will lapse at the end of the probationary period.

*PCS. 3.* The postponement on condition that the convicted not of probation commits a criminal offense and that he complies with the terms and conditions as may be prescribed pursuant to § 57. The probation period determined by the court and generally can not exceed 3 years. In exceptional circumstances, however, set a probationary period of up to five years.

**§ 57.** The Court may as a condition for the postponement determine that the offender throughout the trial period or a portion of this must be subject to supervision. Furthermore, the court may impose other conditions as may be appropriate, including the offender

- 1) comply with specific provisions relating to residence, work, education, use of recreational or relations with certain persons,
- 2) takes up residence in a suitable home or institution; for such a stay is determined by the judgment one maximum time generally not exceeding one year,
- 3) refrains from abuse of alcohol, drugs or other medicaments,
- 4) submits to withdrawal treatment for abuse of alcohol, drugs or other medicaments, if necessary, in a hospital or in the particular institution,
- 5) submits to a structured, controlled rehabilitation, of at least one year,
- 6) submit to psychiatric treatment, if necessary in the hospital,
- 7) comply with the Authority's rules on restrictions on the availability of income and wealth and on the fulfillment of financial obligations,
- 8) pay compensation for losses caused by the offense,
- 9) after the local authority's decision shall be subject to measures according to § 52 of the Social Services Act, any of the specified type and comply with the regulations, the municipality shall notify the person concerned.

**§ 58.** Estimated use of imprisonment required but talk the details of the accused's personal circumstances for the use of probation after § 56, the court may decide that a part of the guilty of punishment, not exceeding six months, to be executed while the judgment also be conditional.

*PCS. 2.* In connection with suspended sentence may be fined, although such punishment is not provided for the offense.

**§ 59.** The under § 57 stipulated conditions may subsequently be amended or repealed by court order at the request of the prosecutor or the convicted. A request from the convicted submitted to the prosecution, as soon as possible refer the matter to court. Rejection of an application by the convicted person is dismissed, he can not submit a new application before elapsed six months from the date of the decision.

*PCS. 2.* in paragraph. 1 shall issue brought before the district court that has adjudicated at first instance, or the district court in the jurisdiction where the offender lives or resides. If the case is judged by the high court of first instance, the

decision of the district court in the jurisdiction where the offender lives or resides.

**§ 60.** If the offender violates the under § 57 conditions imposed, the court in this regard

- 1) assigning warning,
- 2) by order amend the terms and extend the probationary period within the § 56 paragraph. 3, set maximum time,
- 3) by judgment set penalty or sanction for the offense committed or - if the punishment specified in the conditional sentence - decide on the enforcement of that penalty. § 58 paragraph. 1 apply mutatis mutandis.  
*PCS. 2.* With regard to the paragraph. 1 above judgments will § 59 paragraph. 2, mutatis mutandis.

**§ 61.** If prior probationary period made trial proceedings against the offender, which he accused of criminal offense committed before the conditional sentence, the court the sentence for this and the previous trial disposed offense.

*PCS. 2.* Commit the offender new criminal offense during the probation period, and shall be within its expiration action upon which he is accused relationship, the court sets an unconditional penalty or legal consequence of this and the previous trial disposed offense. Thus, the provisions of § 88 paragraph. 2-4, mutatis mutandis. Where circumstances so warrant, the court instead

- 1) impose unconditional punishment only for the new relationship, possibly in connection with a change of the terms of the conditional sentence, or
- 2) deliver new probation on both offenses or only for the new relationship in accordance with the rules in this or the next chapter.

**§ 61 a.** (Canceled)

## 8. Chapter

### *community Service*

**§ 62.** If the suspended sentence under the provisions of §§ 56 and 57 is insufficient, the court, if the defendants are suitable for this, give probation with condition of community.

*PCS. 2.* The decision to suspend the prison sentence taken as laid down in § 56 paragraph. 1 and 2.

*PCS. 3.* The postponement on condition that the convicted person is not in a probation commits a criminal offense and that he respects the under § 63 conditions imposed.

**§ 63.** As for suspension of imprisonment is determined that the convicted person to perform unpaid community service for a minimum of 30 and maximum of 240 hours. The prescribed work obligation must be fulfilled within a maximum time that is measured in relation to the number of hours worked.

*PCS. 2.* The under paragraph. 1 laid down maximum time can be of the regulator extended if special reasons, does not pass the probation period. Authority's decision extending the longest time brought at the request of the offender to justice.

*PCS. 3.* The judgment shall serve a probationary period not exceeding two years. It can be in the judgment is determined that the test time will stop when the longest time of the fulfillment arbejdsforpligtelsens has expired.

*PCS. 4.* The offender shall be subject to probation. Auditors may also, if found appropriate, establish terms and conditions stated in § 57. Authority ceases and any terms in accordance with § 57 lapses when the longest time arbejdspligtens fulfillment has expired, unless otherwise provided in the judgment.

**§ 64.** In connection with the probation with condition of community can be sentenced to imprisonment or a fine in accordance with § 58. A pursuant to § 58 paragraph. 1, sentence of imprisonment may not exceed three months.

**§ 65.** The provisions of § 59 amending or repealing and conditions shall also apply to under § 63 of the provisions adopted.

**§ 66.** If the offender violates the condition of community service or other conditions, the court

- 1) decide on imprisonment for the offense committed or
- 2) determining that the conditional sentence is to be maintained, possibly in connection with an extension of the longest time of the community and of the adaptation period within the § 63 in said limit.

*PCS. 2.* In determining the unconditional penalty under paragraph. 1 pt. 1, the § 58 paragraph. 1 may be used. A conditional partly met under this provision shall then instead of judgment to the community, and this can be attached in accordance with § 63 paragraph. 4 specified conditions. Notwithstanding these provisions, on the continued community is sentenced to imprisonment of up to three months.

*PCS. 3.* In determining the punishment must take into account the extent of the community, which the convicted person has done. A pursuant to § 56 paragraph. 2 fixed penalty may be reduced.

*PCS. 4.* Decisions on the execution of a vulnerable penalty taken by judgment, decisions by order. § 59 paragraph. 2, apply mutatis mutandis.

**§ 67.** The rules of § 61 shall apply in cases of persons whose probation with condition of community accused of an offense committed before or after judgment.

*PCS. 2.* If an unconditional partly met imposed by § 58 paragraph. 1 or § 61 paragraph. 2, no. 1, with the other sentence, he probation after the seventh chapter instead of judgment to the community. Notwithstanding the first sentence. can be



associated with continued community is sentenced to imprisonment of up to three months.

*PCS. 3. § 66 paragraph. 3, apply mutatis mutandis.*

## 9. Chapter

### *Other legal consequences of the offense*

**§ 68.** If the accused is acquitted of punishment pursuant to § 16, the court may order the use of other measures that may be appropriate to prevent further offenses. If less intrusive measures such as surveillance, provisions concerning residence or work, rehab treatment, psychiatric treatment, etc. is not adequate, it can be determined that the person should be placed in a psychiatric hospital, the institution for people with severe mental disability or under the supervision of opportunity administrative arrangement or in a suitable home or institution for special care or assistance. Placing in custody can be done under the conditions specified in § 70th

**§ 68 a.** Where a measure in accordance with § 68 or § 72, see. § 68, the offender shall be placed in the institution, or the measure provides for such a possibility, provides for a maximum period of 5 years for this measure. Furthest time also includes measures which later determined in accordance with § 72, see. § 68, resulting in a relaxation of the existing measure. In exceptional circumstances, the court at the request of the prosecutor, by order fix a new maximum period of 2 years.

*PCS. 2.* In the cases referred to in paragraph. 1 shall, however, generally no maximum time if the offender is found guilty of murder, robbery, grievous, serious violent crime, threats to in § 266 above type arson, rape or other serious sexual offense or attempt one of the mentioned crimes. Does not set a maximum time, matters prosecution question of changing or permanent repeal of the measure to court five years after the decision, unless the matter has been submitted to the court within the last two years. Then the matter to court at least every two years.

*PCS. 3.* Other actions not covered by paragraph. 1 shall fix a maximum period for the measure, which may not exceed three years. In exceptional circumstances, the court at the request of the prosecutor, by order extend the longest time. The total time for the operation may not exceed 5 years.

**§ 69.** found the perpetrator at the criminal action takes place in a state which was subject to improper development, impairment or disturbance of mental functions, which are not provided for in § 16 above nature, the court may, if deemed appropriate, rather than penalize adopt measures referred to in § 68, second paragraph.

**§ 69 a.** Where a measure in accordance with § 69, the offender shall be placed in the institution, or the measure provides for such a possibility, provides for a maximum period of 5 years for this measure and a maximum period of stay is generally not exceed one year. Furthest time in five years also includes measures which later determined in accordance with § 72, see. § 69 and § 68, second paragraph., Resulting in a relaxation of the existing measure. In exceptional circumstances, the court at the request of the prosecutor, by order fix a new maximum period of 2 years for the measure or a new maximum period of stay.

*PCS. 2.* In the cases referred to in paragraph. 1 shall, however, generally no maximum period for the measure if the offender is found guilty of murder, robbery, grievous, serious violent crime, threats to in § 266 above type arson, rape or other serious sexual offense or attempt one of these crimes. § 68a paragraph. 2, 2nd and 3rd paragraph., Apply mutatis mutandis.

*PCS. 3.* Other actions not covered by paragraph. 1 shall fix a maximum period for the measure, which may not exceed three years. In exceptional circumstances, the court at the request of the prosecutor, by order extend the longest time. The total time for the operation may not exceed 5 years.

**§ 70.** A person can be sentenced to custody if

- 1) he is found guilty of murder, robbery, grievous, serious violent crime, threats to in § 266 mentioned the nature or arson or attempt one of these crimes, and
- 2) it is the nature of the committed relationship and the details of his person, particularly about past crimes must be assumed that he poses an immediate risk of someone else's life, body, health or freedom, and
- 3) use of detention instead of prison are required to prevent this danger.

*PCS. 2.* A person can also be ordered to custody if

- 1) he is convicted of rape and other serious sexual offense or attempted, and
- 2) it is the nature of the committed relationship and the details of his person, including former crime must be assumed that he poses significant risk to the lives of others, body, health or freedom, and
- 3) use of detention instead of prison are required to prevent this danger.

**§ 71.** If there will be no judging an accused person to institutional care or in custody under the provisions of §§ 68-70, can by the court appointed him a curator, as far as possible a person of his closest relatives, along with the appointed counsel to assist the accused during the proceedings.

*PCS. 2.* Is defendants sentenced to placement referred to in paragraph. 1, or offering decision possibility of such placement shall be assigned him a curator. This should be informed of the offender's status and ensure that the stay and other measures not be extended longer than necessary. The appointment ends when the action finally repealed.

*PCS. 3.* The Minister of Justice shall lay down rules on the admissibility and the payment of assistance swear as well as their duties and more powers.

**§ 72.** It is for the prosecution to ensure that a measure according to §§ 68, 69 or 70 is not maintained for longer and more extensive than necessary.

*PCS. 2.* Provisions amending or final termination of a measure according to §§ 68, 69 or 70 made by court order at the request of the convicted, bistandsværger, prosecution, administration of the institution or prison service. Request from the convicted, bistandsværger, management of the institution or prison service submitted to the prosecution, as soon as possible refer the matter to court. Taking a request from the convicted or bistandsværger not successful, the new request is not made until there is progress and a half years from the date of the decision.

*PCS. 3.* The provision of § 59 paragraph. 2 apply *mutatis mutandis* to decisions under paragraph. 2. Are there any questions about changing the measure because of the new offense, the question however of the court hearing the case of infringement.

**§ 73.** If the person who has committed a criminal offense, after his making, but before judgment is passed, come in a not merely transient state of the in § 16 or § 69 said kind, the court shall decide whether penalties should be imposed or waived. If deemed appropriate, the court may decide that the measures according to § 68 or § 69 shall apply in lieu of punishment, or until the sentence had to be enforced.

*PCS. 2.* The provisions of §§ 71 to 72 apply *mutatis mutandis*.

*PCS. 3.* If a person sentenced, pursuant to paragraph. 1, sentence 2., Placed in the institution counted the duration of such residence of the Criminal time.

**§ 73 a.** The Minister of Justice may, after consultation with the Minister of Social Affairs and Interior and Health Minister for the authorization of output, etc. for persons placed in psychiatric hospital, etc. in accordance with a decision taken pursuant to §§ 68 or 69th Justice may in this respect stipulate that decisions taken pursuant to these rules can not be appealed to a higher administrative authority.

**§ 74.** (Canceled)

**§ 74 a.** If a person at the scene of the time was 18 years old, have committed more serious offenses against the person or other serious crimes, the court can decide that he is to undergo a structured, controlled socio-educational treatment of 2 years, if deemed appropriate to prevent further offenses.

*PCS. 2.* The court may allow the convicted orders corresponding to the conditions can be determined in accordance with § 57. Longest time of stay in inpatient or approved residence is one year and six months, including a maximum of 12 months in a secure unit of a residential institution for children and youth. Commits a person subject to a measure in accordance with paragraph. 1, a new crime, the court instead of criminal sanctions extend the measure, including the longest time after the second section., Up to 6 months.

*PCS. 3.* The offender may require decisions on transfer to a secure unit of a residential institution for children and young people and decisions on transfer from outpatient treatment for placement in a residential institution for children and adolescents or approved residence brought before the court for decision. The same applies to the extent that the social authorities on the basis of the judgment decides that he is to remain in the institution beyond the judgment prescribed period of stay. The decision is made by order. Refer the matter to the court has no suspensive effect. The provision of § 59 paragraph. 2, apply *mutatis mutandis*.

*PCS. 4.* The Minister of Justice may, after consultation with the Minister of Social Affairs set rules on the authorization of output, etc. for persons who are subject to a measure in accordance with paragraph. 1 and 2. The Minister of Justice may in this respect stipulate that decisions taken pursuant to these rules can not be appealed to a higher administrative authority.

**§ 75.** The yield of a criminal offense or the equivalent can be totally or partially confiscated. Missing are appropriate basis for determining the amount can be confiscated an amount deemed to correspond to the recovered yield.

*PCS. 2.* If it is deemed necessary to prevent further offenses or special circumstances so warrant, there may be confiscating

- 1) objects that have been used or intended to be used by a criminal offense
- 2) objects that are generated by an offense and
- 3) objects, in respect of which there is otherwise committed an offense.

*PCS. 3.* Instead of confiscation in paragraph. 2, the objects may be confiscated an amount equal to their value or part of it.

*PCS. 4.* Instead of confiscation pursuant to paragraph. 2 can be made for measures concerning the objects to prevent further offenses.

*PCS. 5.* When a union is dissolved by judgment, its assets, archive, records and similar confiscated.

**§ 76.** Confiscation according to § 75 paragraph. 1, can be done with it, whom the dividends are accrued directly by the offense.

*PCS. 2.* Confiscation of the in § 75 paragraph. 2 and 3, said objects and values can be made on the person who is responsible for the offense and of the person on whose behalf he acted.

*PCS. 3.* Particularly guaranteed rights of objects confiscated lapse only after the court's determination under conditions similar to those in paragraph. 2 above.

*PCS. 4.* Do any of the paragraph. 1 and 2 persons for the offense made dispositions of dividends or objects to in § 75 paragraph. 2, referred to the nature or the rights thereto, it can be transferred or its value confiscated by the transferee if this was familiar with the overdagnes connection with the offense or have been grossly negligent in this regard, or if the transfer took place as gift.

*PCS. 5.* If a person confiscation liability under paragraph. 1-4, door lapse his responsibility. This does not confiscated according to § 75 paragraph. First

**§ 76 a.** May be made full or partial confiscation of property belonging to a person convicted of a criminal offense, when

- 1) the operation is of such a nature that it can generate substantial proceeds, and
- 2) it can be legally punished by imprisonment for six years or more, or is a violation of the law on narcotics.

*PCS. 2.* Under the conditions referred to in paragraph. 1 may be made full or partial confiscation of property which the person's spouse or partner has acquired unless

- 1) the property was acquired more than five years before the offense which forms the basis for confiscation pursuant to paragraph. 1, or
- 2) the marriage or cohabitation did not exist at the time of acquisition.

*PCS. 3.* Under the conditions referred to in paragraph. 1 may be made full or partial confiscation of property transferred to a legal person who either alone or in conjunction with his closest has a controlling influence. The same applies if the person concerned receives a significant part of the legal person's income. Confiscation can not happen if the property was transferred to the legal person more than 5 years before the offense which forms the basis for confiscation pursuant to paragraph. First

*PCS. 4.* Confiscation pursuant to paragraphs. 1-3 can not happen if the it probable that the property was acquired in a legitimate manner or by legitimately acquired means.

*PCS. 5.* Instead of confiscation of certain property under subsection. 1-3 can be confiscated an amount equivalent to their value, or a part thereof.

**§ 77.** In case of confiscation according to § 75 paragraph. 1, or § 76a, and any claims relating to the offense may be confiscated used to cover the claim.

*PCS. 2.* The same applies to objects and values confiscated according to § 75 paragraph. 2 and 3, if the judgment made provision accordingly.

*PCS. 3.* Have the convicted in one of the in paragraph. 1 and 2 cases paid the victim compensation after the judgment, reduced confiscation amount equivalent.

**§ 77a.** Objects which, because of their nature under other circumstances be feared that would be used by a criminal offense may be confiscated to the extent deemed necessary to prevent the offense. There can be under the same conditions confiscation of other assets, including cash. § 75 paragraph. 4, apply mutatis mutandis.

**§ 78.** punishable ratio gives no loss of civil rights, including the right to business, according to widely license or certificate of competency.

*PCS. 2.* Any person who is convicted of a criminal offense may be excluded from engaging in an activity that requires a special official authorization or approval, where the facts established show an obvious risk of abuse of position or office.

*PCS. 3.* The question of whether the facts established preclude the exercise of the paragraph. 2 referred business, by the prosecution at the request either of the one who has been refused an application for such authorization or approval, or by the competent authority before the court. § 59 paragraph. 2, apply mutatis mutandis. The decision is made by order. If the decision involves the exclusion of the company concerned, the issue again before the court, but not before two years' time. Authorization or approval may also be within this time limit shall be notified by the competent authority.

**§ 79.** Those who exercise one of the in § 78 paragraph. 2, the undertakings referred to by a judgment of a criminal offense of his right to continue to pursue that activity, or to exercise it under certain if the facts established show an obvious risk of abuse of position.

*PCS. 2.* The same applies when special circumstances, on the exercise of another company. Following the same rule may result in disqualification to be a founder or director or board member of a limited liability company, a company or association requiring special official approval or a foundation.

*PCS. 3.* Suspension of navigational done on time from 1 to 5 years from the final judgment, or until further notice, in which case the question of the continued exclusion from the company after five years of history can be brought before the court by the in § 78 paragraph. 3, contained rules. When special circumstances, the Minister of Justice allow the referral to the court is done before the first section. said 5-year period has elapsed.

*PCS. 4.* The Court, when considering in paragraph. 1 and 2 cases by order exclude that person from exercising the company until the case is finally decided. The judgment in the case determined that the appeal does not have suspensive effect.

**§ 80.** By fixing the penalty should be for reasons of consistency in applying the law emphasized gravity of the offense and the information about the offender.

*PCS. 2.* In assessing the gravity of the offense must be taken into account in the offense related harm, danger and abuse, and to what offender realized or should have realized this. In assessing information about the offender must take into account its general personal and social circumstances, their relationship before and after the act and its motives for ministry.

**§ 81.** It should at fixing the penalty generally included as an aggravating circumstance,

- 1) the offender previously convicted of importance to the case,
- 2) that the act is done by several jointly,
- 3) that the offense is particularly planned or part of comprehensive crime,
- 4) that the perpetrator intended that the act would have considerable more serious consequences than the turns,
- 5) the offender has shown particular ruthlessness,
- 6) that the ministry is rooted in people's ethnic origin, religion, sexual orientation or the like,
- 7) that the act is a consequence of the victim's legal utterances in public debate,
- 8) the offense is committed in the conduct of public officials or abuse of position or special relationship of trust, moreover,
- 9) the offender has got someone else to help the ministry by force, fraud or exploitation of his young age or significant financial or personal difficulties, lack of knowledge, carelessness or an existing relationship,
- 10) that the perpetrator has used victim's defenseless position,
- 11) the offense is committed by a person undergo, imprisonment or other punishment of a custodial nature,
- 12) the offense is committed by a former inmate of the institution or person employed by the institution.

**§ 81a.** The punishment prescribed in this Act §§ 119, 123 and 245, § 245, see. § 247, § 246, see. § 245, § 246, see. § 245, see. § 247, and § 252, first paragraph. 1 may be increased up to double if the offense is rooted in a mutual showdown, which takes place between groups of people, and where there several times in the course of the confrontation either used firearms or used weapons or explosives which because of their extremely dangerous character is likely to cause significant damage or committed arson under his Act § 180th

*PCS. 2.* In determining the penalty for violation of this Law § 180, § 183, paragraph. 2 and § 237 must be generally included as a particularly aggravating circumstance if the offense is rooted in a mutual showdown referred to in paragraph. First

**§ 82.** It should at fixing the penalty generally included as a mitigating circumstance,

- 1) the offender was 18 years old when the deed was done,
- 2) that the perpetrator have longevity, when using the usual penalty is unnecessary or harmful,
- 3) that the act limits to be covered by an impunity because,
- 4) the perpetrator acted in excusable ignorance or excusable misunderstanding of the law that prohibits or imposes performing the action,
- 5) that the act is performed in a troubled state of mind induced by aggrieved or persons linked to it by an undue attack or serious insult,
- 6) the offense is committed by coercion, fraud or exploitation of the offender's young age or significant financial or personal difficulties, lack of knowledge, carelessness or an existing relationship,
- 7) the offense is committed under the influence of strong compassion or emotion, or in other specific information about the perpetrator's state of mind or the circumstances of the offense,
- 8) the offender voluntarily averted or attempted to avert the danger caused by the offense,
- 9) the offender has voluntarily set itself and presented full confession,
- 10) the offender has supplied information that is essential for the investigation of offenses committed by others,
- 11) to the offender has re-established or sought to recover the damage caused by the offense,
- 12) to the offender because of the criminal act is suspended in one of the § 79 is applied, the rights or other effects that can be treated as punishment,
- 13) the criminal proceedings against the offender is not resolved within a reasonable time without having to blame the perpetrator,
- 14) that it has been so long since the offense was made that the use of the usual punishment is unnecessary.

**§ 83.** The penalty may be reduced below the prescribed penalty when information about the offense, the offender's person or other circumstances decisive considerations. Under otherwise mitigating circumstances the penalty may be canceled.

**§ 84.** It is a condition for the application of provisions for increased penalties or other legal consequences of recidivism, the offender, before they again rebelled, in the Danish state is found guilty of committed criminal offense for which the law attaches convictions on the now committed, or attempted or assisting such.

*PCS. 2.* The Court may give convictions outside the Danish state same convictions as those in this country aside.

*PCS. 3.* Repeat effect ceases when before the new offense was committed, has passed 10 years after the previous sentence is served, finally forgiven or canceled. Is the former punishment a fine, reckoned that period from the date of the

final judgment or fine adoption. As for the probation period runs from the final judgment.

**§ 85.** (Repealed)

**§ 86.** If the offender has been arrested, held in custody or admitted to mental examination curtailed a number of days equal to the number began day, detention or hospitalization lasted, in the sentence of imprisonment. Detention that has not lasted at least 24 hours, does not shortening. Has the convicted of detention been isolated by court order be curtailed further number of days corresponding to a day, for each started time period of 3 days, during which the offender has been isolated. The judgment shall contain information about the duration of detention, hospitalization and isolation that results in shortening. The court may exceptionally decide that the entire sentence will be considered served, even if the sentence is longer than the time in which the convicted person has been detained or hospitalized. If the appeal is denied or revoked, such a decision by the decision of the superior court. Is financial penalty, it must be in the judgment determined that the fine or part thereof must be considered served.

*PCS. 2.* In a judgment according to § 58 paragraph. 1, the shortening happen in the suspended part of the sentence. It may, however, in the judgment determined that shortening or partial failure should be in the suspended part of the sentence.

*PCS. 3.* The provisions of paragraphs. 1 and 2 shall also apply to judgments according to § 60 paragraph. 1, no. 3, where the conditional convicted before a decision has been arrested or remanded in custody.

*PCS. 4.* Has the offender been arrested, held in custody or admitted to mental study abroad, the law, to what extent should happen shortening of the sentence.

*PCS. 5.* The provisions of paragraphs. 1, the first and second sections. Shall apply mutatis mutandis for persons deployed for a period of imprisonment after being arrested or taken into custody because of the violation of the terms of pardon or parole.

**§ 87.** (Canceled)

**§ 88.** Has anyone in one or more acts committed several offenses fixes for these common sentence within the prescribed penalty or if several penalties into account, the most severe of these. During extremely aggravating circumstances the penalty may exceed the highest of any of the offenses prescribed punishment by up to half.

*PCS. 2.* Does an offense prison, another penalty, the court instead of a single prison sentence impose fines beside the prison.

*PCS. 3.* Does an offense daily penalty, another of those fines of a different kind, the court sets a common punishment of daily penalty unless the circumstances deemed wisest to determine the penalty for each violation separately.

*PCS. 4.* Does an offense measure under §§ 68-70 and § 74 a, while another is deserved punishment, the court may decide that this penalty be canceled.

**§ 89.** Does anyone who has already been sentenced to imprisonment, further guilty of pre-judgment committed offense becomes an additional sentence to sentence, in so far while admissible would have led to increase in penalties. Additional punishment may be imposed for a shorter time than prescribed in § 33. If the execution of the former sentence imposed is not completed, followed as far as possible the rules of § 88th

**§ 89 a.** In the case of a judgment by which a person sentenced measure under §§ 68-70 and § 74 a court may order the cancellation of a previously sentenced not consummated.

*PCS. 2.* sentenced a person who is subject to the measures according to §§ 68-70 and § 74 a, punishment, the court may decide on the lapse of the previously imposed measure.

**§§ 90-91.** (Canceled)

11. Chapter

*Termination of the offense legal consequences*

**§ 92.** An offense not punished when there is statute-barred according to §§ 93-94.

**§ 93.** The limitation period is

- 1) two years when not provided more severe punishment than imprisonment for one year of the offense.
- 2) five years when not provided more severe punishment than imprisonment for four years.
- 3) 10 years when not provided more severe punishment than imprisonment for 10 years.
- 4) 15 years when not provided more severe punishment than imprisonment for a fixed period.

*PCS. 2.* The limitation period shall in no event less than 5 years

- 1) violation of this Act § 296 paragraph. 2, § 297, first paragraph. 2 and § 302 paragraph. 2
- 2) violation of tax, customs, fiscal law or grant, obtaining or can be obtained restitution.

*PCS. 3.* For violation of this Act § 223 paragraph. 1, and §§ 224 and 225, referred to. § 223 paragraph. 1, the limitation period in no case less than 10 years.

*PCS. 4.* Has anyone by the same act committed several offenses for which after paragraph. 1-3 are different limitation periods, the longest of these periods used with regard to all infringements.

**§ 93 a.** When an offense is covered by one of Denmark joined the international treaty under which criminal liability is *uforældeligt*, the limitation does not.

**§ 93 b.** Where an offense under this Act § 157 a, the limitation does not.

**§ 94.** Time shall begin from the day when the criminal activity or omission has ceased.

*PCS. 2.* When an offense was dependent on or affected by occurred due to some future event, time shall begin from *følgers* or materialized.

*PCS. 3.* Is the relationship committed on a Danish ship outside the kingdom, the time limit from the day when the ship came to a Danish port. Period starting date can not be after this provision be postponed for more than one year.

*PCS. 4.* For violation of this Act §§ 210, 216-220, 222, 223, 223a, 228, § 229, paragraph. 1, § 235 a paragraph. 1, § 245 a, § 246, see. § 245 a, and § 262a paragraph. 2, the limitation period but no earlier than the day the victim turns 18 years old. The same applies to breaches of this Act §§ 224 and 225, see. §§ 216-220 and 222-223 a.

*PCS. 5.* Time shall be interrupted when the person be made aware of the charges, or when the prosecution requests for interim step, whereby the product is screened for the infringement. The limitation period for a legal person's liability can be stopped against a person who, after Judicial Code § 157 to receive services at the legal person concerned.

*PCS. 6.* Waived prosecution without his decision reversed by senior prosecutor in the regular reversal period limitation period shall, as if proceedings had not taken place. This also applies when the prosecution is stopped indefinitely. Due to the stoppage, the term has evaded prosecution, prosecution counted time not in the calculation of the limitation period.

**§ 95.** When an operation because of the limitation can not be punished, nor can it lead to sanctions under §§ 68-70, § 74a, § 164, paragraph. 4, or § 236, confiscation or deprivation of rights. For confiscation, the limitation period shall in no case less than five years and for confiscation pursuant to § 75 paragraph. 1, no less than 10 years.

**§ 96.** Access to private prosecution and to request public prosecution lapses when the person concerned has not brought or requested within six months after he has received such knowledge that he has sufficient grounds for legal action or the submission of criminal complaints.

*PCS. 2.* Are there more prosecution justified or more guilty, the deadline is calculated separately for each of them. If the deadline for application to public prosecution has been exceeded for one of the culprits, but not for the other depends, however, on the prosecutor's decision on an application for prosecution against them should be dismissed.

*PCS. 3.* Access to raise private prosecution or request public prosecution lapses after six months have elapsed after the victim's death.

*PCS. 4.* Keep a private sanctioned case not for determining the penalty claim, the period ahead, so that the time in which the proceedings have taken place, not counted.

*PCS. 5.* The provisions of paragraphs. 1-4 also applies with regard to the legal consequences mentioned in § 273, however, the limitation period is 3 years.

**§ 97.** Sentenced to imprisonment and other legal consequences of custodial nature lapse by limitation provided by paragraph. 2-6.

*PCS. 2.* The limitation period is

- 1) five years of imprisonment for up to one year and for measures according to § 74 a,
- 2) 10 years of imprisonment for more than one year but not more than four years, as well as for measures according to §§ 68 and 69,
- 3) 15 years of prison for more than four years but not more than 8 years, and for custody according to § 70 and
- 4) 20 years of jail time over 8 years.

*PCS. 3.* The limitation period runs from the time when the sentence under the general rules could be enforced.

*PCS. 4.* In the period of limitation shall not include the time during which

- 1) execution is postponed by probation or conditional pardon
- 2) the second undergo, imprisonment or subject to other criminal sanction of custodial nature, or
- 3) the initiation of enforcement is hindered because that evades execution.

*PCS. 5.* The limitation period is interrupted when the execution is started.

*PCS. 6.* Are there any provision for reinstatement after parole or proof print or on conditional pardon for part of a sentence, the limitation period for the remainder of his sentence or the remainder of the second sanction from the provision for reinstatement. Interrupted the execution of other than by parole, proof print or pardon, the time limit from the interruption referred to. However paragraph. 4, no. 3.

**§ 97 a.** If not previously submitted application for distraint lapse fine after

- 1) five years, when the fine does not exceed 10 000 kr., And
- 2) 10 years, when the fine exceeds 10,000 kr.

*PCS. 2.* Transformation punishment for the offense shall lapse after three years unless its execution has begun earlier. For fine of more than 10,000 kr. Deadline would be 5 years.

*PCS. 3.* Confiscation lapse after five years unless previously filed for expenses. However the judgment sets a deadline of up to 10 years. Such a period may also be determined by court order. Questions in this regard submitted by the prosecution before the court that has adjudicated in first instance.

*PCS. 4.* The limitation period referred to in paragraph. 1 and 3, calculated from the time when the decision under the general rules could be enforced. The time limits shall not include the time during which enforcement is postponed by probation or conditional pardon.

**§ 97 b.** Criminal legal consequences are not enforced by the offender's death.

*PCS. 2.* Prosecutors may bring the matter of maintaining a confiscation of the court which adjudicated in first instance. Seizure can only be maintained in the case of objects or amount recovered as yield by the offense or which corresponds to such proceeds. The court may amend the provision on confiscation, so that instead of objects confiscated an amount. The court's decision made by court order.

*PCS. 3.* Decisions under § 164 paragraph. 4 and § 273 paragraph. 2 shall be enforced by the offender's death.

**§ 97 c.** In the same way as for punishment may be pardoned for confiscation.

### **particular part**

#### 12. Chapter

##### *Offenses against the Independence and Safety*

**§ 98.** Whoever takes an action that aims to at foreign aid, by force or threat thereof to bring the Danish state or any part thereof under foreign domination or to break any part of the state, punishable by imprisonment for up to life imprisonment .

*PCS. 2.* According to the provision in paragraph. 1 punished also, as to that objective will adopt more extensive sabotage, production or traffic stoppage, as well as the participating in such action knowledgeable about which action aims.

**§ 99.** Whoever takes an action that aims to inflict the Danish government or any of the war cases related state of war, occupation or other hostilities such as blockades or other measures, or which otherwise seems that the Danish government's determination freedom by foreign aid violated, punishable by imprisonment for up to life imprisonment.

*PCS. 2.* For appointments understood here and elsewhere in chapters 12 and 13 foreign occupation of Danish state region when and as long as it imposed on the country by force or threat thereof.

**§ 100.** Any person who by public statements encourages or induces an obvious danger of hostile action against the Danish state, punishable by imprisonment for up to six years.

*PCS. 2.* Any person who by public statements encourages or induces an obvious danger for foreign power interference in the Danish government affairs, punishable by a fine or imprisonment up to one year.

**§ 101.** Any person who by war, occupation or other hostilities end, take any action whereby assistance to the enemy prepared, punishable by imprisonment up to 16 years.

**§ 102.** Whoever in times of war or occupation outside enemy assistance by word or deed or promoting hostile interest weakens the Danish State or its federal common struggle skill, punishable by imprisonment up to 16 years.

*PCS. 2.* As assistance to the enemy is thus the following:

- 1) Solicitation or tjenstgøring in hostile war or occupation regime armed forces or related to these potent military or police corps or similar corps or organizations.
- 2) Execution of the task as civil collar during war or hostile occupying power police or prison system, in so far as the duties include participation in hearing or the guarding of prisoners.
- 3) Informing or similar participation to any of hostile authority or collaborating organization or person is arrested or subjected to arrest or harm.
- 4) Propaganda in favor of hostile war or occupying power, including activities as publisher, editor or manager at the newspaper, magazine, publishing or the press agency that works to promote hostile interest.
- 5) Performance of considerable economic aid to facilitate the propaganda of the under no. 4 above type or the party or organization in an improper way cooperate with the hostile war or occupying power or act to promote the latter's interests.

*PCS. 3.* Have informer, see. Paragraph. 2, no. 3, occurred in such circumstances, the offender has realized that no order was exposed to imminent danger of losing his life, suffering serious injury to body or health, be taken out of the country or be deprived of liberty for longer or the violation of §§ 245, 246 or 250 committed in order to compel evidence or confession or otherwise as part of prisoner abuse, the life imprisonment imposed.

**§ 103.** Whoever in times of war or occupation or threatening views thereto breaching a contract for the by the Danish government in this regard the measures taken, or otherwise discourage such actions punishable by imprisonment of up to three years.

*PCS. 2.* If the breach occurred due to gross negligence, the penalty is a fine or imprisonment for up to four months.

**§ 104.** Any person who in an improper manner, directly or through intermediaries, in commercial terms cooperating with hostile war or occupying power shall be punished by fine or imprisonment up to 8 years.

*PCS. 2.* Criminal liability under subsection. 1 may be imposed on anyone who has had a leading position in that company. Criminal liability can also be imposed on others in the company employed individuals when there are any special offensive conduct.

*PCS. 3.* In determining whether and to what extent the relationship must be regarded as unfair, will in addition to its importance for the hostile acts of war or occupying power in particular be to consider whether he

- 1) have been active for business relationship indledet, continued or expanded,
- 2) the enemy's interest on its own initiative carried out a reorganization of the company or provided or attempted to provide greater or more rapid production than required,
- 3) has attracted the enemy's assistance to Danish authorities to promote its interests,
- 4) has prevented or attempted to prevent Danish authorities to gain full access to become familiar with the company's or
- 5) has obtained or sought to obtain unfair profits or other benefits that have not been commercially reasonably justified.

**§ 105.** Whoever under occupation takes an action that aims to persuade the occupiers or any of the cooperating organization or person to violate Danish authorities' determination freedom or unduly exploits associated with the occupation or any of the cooperating organization or person to obtain or other particular advantage is punishable by imprisonment for up to eight years.

**§ 106.** The acting against state interests during the performance of a His assigned duties on the State's behalf to negotiate or determine anything with a foreign state shall be punished by imprisonment up to 16 years.

**§ 107.** Whoever in foreign power or organization or service for use by persons acting in such service, are exploring or give notice of the fact that the interests of Danish government or public interest must be kept secret, shall be punished, whether the message is real or not, of spying by imprisonment up to 16 years.

*PCS. 2.* If it comes to the in § 109 obtains, or the action takes place during the war or occupation, the penalty may increase up to life imprisonment.

**§ 108.** Any person who, without the matter falls under § 107, also making something by which foreign intelligence service be enabled or helped directly or indirectly to operate within the Danish State, punishable by imprisonment for up to six years.

*PCS. 2.* If it comes to intelligence, military affairs or business takes place during the war or occupation, the penalty may increase up to prison for 12 years.

**§ 109.** Any person who betrays or further notifies the state secret during operations, consultations or decisions in cases in which national security or rights in relation to foreign states based, or that relate to substantial socio-economic interests of payments, punishable by imprisonment up to 12 years.

*PCS. 2.* Are the said acts negligently, the penalty is a fine or imprisonment of up to three years.

**§ 110.** Any person who falsifies, destroys or disposes of any document or other article that is of importance to national security or rights in relation to foreign states, punishable by imprisonment up to 16 years.

*PCS. 2.* Are the said acts negligently, the penalty is a fine or imprisonment of up to three years.

**§ 110 a.** A fine or imprisonment up to three years be imposed on anyone who intentionally or negligently without proper authorization

- 1) describes photographs or otherwise depicts Danish no general available military defense installations, depots, units, weapons, supplies electricity. etc., or multiply or publish such descriptions or depictions
- 2) publish regulations relating Danish contrary forces mobilization and other war preparedness.

*PCS. 2.* A fine is imposed on anyone who intentionally or negligently without proper authorization shooting photographs from aircraft over the Danish state area or publishes such unlawfully captured photographs.

**§ 110 b.** With imprisonment up to eight years be imposed on anyone who helps neutrality violations against the Danish state from a foreign power side.

**§ 110 c.** Whoever violates the provisions or prohibitions under the Act may be given for the Protection of State defense or neutrality measures, fines or imprisonment for up to four months or in particularly aggravating circumstances with imprisonment up to three years.

*PCS. 2.* A fine or imprisonment for up to 4 months or in particularly aggravating circumstances with imprisonment for up to four years imposed on anyone who violates regulations or prohibitions under the Act may be given to the implementation of the state's obligations as a member of the United Nations.

*PCS. 3.* The same punishment as in paragraph. 2 Any person who violates the provisions contained in or issued pursuant to regulations adopted under Article 60, 301 or 308 of the Treaty establishing the European Community, which aims at fully or partially interrupt or reduce, financial or economic relations with one or more countries outside the European Union or similar sanctions against individuals, groups of persons or legal persons.

*PCS. 4.* committed a crime referred to in paragraph. 1, 2 or 3 negligently, the penalty is a fine or imprisonment up to 2 years.

**§ 110 d.** Committed any of the chapters 25, 26 and 27 crimes against a foreign head of state or head of a foreign diplomatic mission, it can be prescribed penalty increased by up to half, unless the situation is covered by Chapter 13.



**§ 110 e.** With a fine or imprisonment up to 2 years that public insults a foreign nation, a foreign state, its flag or other recognized national brand or the United Nations or the European Council flag.

**§ 110 f.** The in this Chapter crimes in all cases subject to public prosecution, which happens after the Minister of Justice injunction.

### 13. Chapter

#### *Crimes against the Constitution and the supreme authorities, terrorism, etc.*

**§ 111.** Any person who takes an action that aims to at foreign aid, by force or threat thereof to change the Constitution or put it out of force shall be punished with imprisonment up to life imprisonment.

**§ 112.** Those who take any action that aims to deprive the king or the person on the basis of the Constitution, the Government, life imprisonment not less than 6 years.

**§ 113.** Anyone who tarnishes the Parliamentary security or liberty or otherwise take any action that aims to by force or threat thereof to force the parliament no decision or hinder it from freely pursuing its activities, be punished with imprisonment up to 16 years or under special aggravating circumstances for life.

*PCS. 2.* Same punishment going to use it, which is similarly attacking or practicing coercion against the king or the person on the basis of the Constitution, the Government or against ministers, the Tribunal or the Supreme Court.

**§ 114.** For terrorism punishable by imprisonment for up to life imprisonment on that with intent to intimidate a population seriously or unduly compelling a Danish or foreign Government or an international organization to do or abstain from doing any act or to destabilize or destroy a country or an international organization's fundamental political, constitutional, economic or social structures of committing one or more of the following actions when the action in its nature or the context in which it is committed, can a country or an international organization serious damage:

- 1) Manslaughter by § 237th
- 2) Coarse violence after § 245 or § 246th
- 3) Detention after § 261st
- 4) Breach of road safety in accordance with § 184 paragraph. 1, unlawful interference in the operation of public means of communication, etc., under § 193 paragraph. 1 or gross damage according to § 291 paragraph. 2, if these violations are committed in a way that could endanger human life or result in major economic loss.
- 5) Seizure of transportation means according to § 183 a.
- 6) Violations of the law on weapons and explosives under special aggravating circumstances in accordance with § 192 a.
- 7) Arson pursuant to § 180, explosion, spreading of noxious gases, flood, shipwreck, railway or other transport accident in accordance with § 183 paragraph. 1 and 2, harmful pollution of the water supply in accordance with § 186 paragraph. 1, hazardous contamination of products intended for general use etc. pursuant to § 187 paragraph. First
- 8) possession or use of radioactive materials, etc. by § 192 b.

*PCS. 2.* The same penalty, which in paragraph. 1 mentioned intent carrying weapons or explosives.

*PCS. 3.* be punished in the same way that with it in paragraph. 1 shall willfully threatens to commit any of the paragraph. 1 and 2 acts.

**§ 114 a.** Committed any of the Nos. 1-6 acts mentioned without the matter covered by § 114, the penalty may exceed the higher of the offense prescribed punishment by up to half. If the maximum punishment prescribed for the offense is less than four years' imprisonment, the penalty may be increased to imprisonment up to 6 years.

- 1) Violation of § 180, § 181, paragraph. 1, § 183, paragraph. 1 or 2, § 183a, § 184 paragraph. 1, § 192 a, § 193, paragraph. 1, §§ 237, 244, 245, 246, 250, § 252, first paragraph. 1, § 266, § 288 or § 291 paragraph. 1 or 2 when the action is covered by Article 1 of the Convention of 16 December 1970 on the Suppression of Unlawful Seizure of Aircraft, Article 1 of the Convention of 23 September 1971 Suppression of Unlawful Acts against the Safety of Civil Aviation, or Article II of the Protocol of 24 February 1988 to combat unlawful acts of violence at airports serving international civil aviation.
- 2) Violation of § 180, § 181, paragraph. 1, § 183, paragraph. 1 or 2, § 184 paragraph. 1, §§ 237, 244, 245, 246, 250, § 252, first paragraph. 1, § 260, § 261, paragraph. 1 or 2, § 266 or § 291 paragraph. 1 or 2 when the action is covered by Article 2 of the Convention of 14 December 1973 on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.
- 3) Violation of § 261 paragraph. 1 or 2 when the action is covered by Article 1 of the International Convention of 17 December 1979 against the taking of hostages.
- 4) Violation of § 180, § 181, paragraph. 1, § 183, paragraph. 1 or 2, § 186, paragraph. 1, §§ 192 a, 192 b, 237, 244, 245, 246, 260, 266, 276, 278, 279, 279 a, 281, 288 or § 291 paragraph. 2, when the action is covered by Article 7 of the IAEA Convention (International Atomic Energy Agency Convention) of 26 October 1979 on the Physical Protection of Nuclear Material.
- 5) Violation of § 180, § 181, paragraph. 1, § 183, paragraph. 1 or 2, § 183a, § 184 paragraph. 1, § 192 a, § 193, paragraph. 1, §§ 237, 244, 245, 246, § 252, first paragraph. 1, §§ 260, 266, 288 or § 291 paragraph. 1 or 2 when the action is covered by Article 3 of the Convention of 10 March 1988 for the Suppression of Unlawful Acts against the Safety of

Maritime Navigation or Article 2 of the Protocol of 10 March 1988 for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on continental shelf.

- 6) Violation of § 180, § 181, paragraph. 1, § 183, paragraph. 1 or 2, § 183a, § 184 paragraph. 1, § 186, paragraph. 1, § 192 a, § 193, paragraph. 1, §§ 237, 244, 245, 246, 250, § 252, first paragraph. 1, § 266 or § 291 paragraph. 2, when the action is covered by Article 2 of the International Convention of 15 December 1997 for the Suppression of Terrorist Bombings.

**§ 114 b.** With imprisonment up to 10 years imposed on anyone who

- 1) directly or indirectly provides financial support,
- 2) directly or indirectly provide or collect funds or
- 3) directly or indirectly places money, other assets or financial or other similar services available for a person, a group or an association that commits or intends to commit acts covered by § 114 or § 114 a.

**§ 114 c.** With imprisonment up to 10 years imposed on anyone who recruits a person to commit or facilitate offenses under § 114 or § 114 a or to join a group or association to promote the group or association commit acts of this nature. Under aggravating circumstances, the penalty may increase to imprisonment for up to 16 years. As aggravating circumstances considered in particular cases where there are violations of systematic or organized nature.

*PCS. 2.* With imprisonment up to six years imposed on anyone who recruits a person to commit or facilitate offenses under § 114 b or to join a group or association to promote the group or association commit acts of this nature.

*PCS. 3.* With imprisonment up to six years imposed on anyone who enlists to commit acts covered by § 114 or § 114 a.

**§ 114 d.** With imprisonment up to 10 years if he, as a coach, instruct or otherwise train a person to commit or facilitate offenses under § 114 or § 114 a with the knowledge that the person intends to use the skills to this purpose. Under aggravating circumstances, the penalty may increase to imprisonment for up to 16 years. As aggravating circumstances considered in particular cases where there are violations of systematic or organized nature.

*PCS. 2.* With imprisonment up to six years punishable as coach, instruct or otherwise train a person to commit or facilitate offenses under § 114 b with the knowledge that the person intends to use the acquired skills for this purpose.

*PCS. 3.* With imprisonment up to six years imposed on anyone who allow themselves to train, instruct or otherwise train to commit acts covered by § 114 or § 114 a.

**§ 114 e.** With imprisonment up to six years to punishment, which also promotes the company of a person, a group or an association that commits or intends to commit acts covered by §§ 114, 114a, 114b, 114c or 114 d.

**§ 114 f.** Whoever without the matter covered by §§ 114 to 114 e, participating in or providing significant financial or other material support to the corps, group or association that intends by force to influence public affairs or cause disturbance of the public order, punishable by imprisonment for up to six years.

**§ 114 g.** He that without the matter covered by §§ 114-114 f, participating in illegal military organization or group shall be punished by fine or imprisonment up to 2 years.

**§ 114 h.** With imprisonment up to six years punishable under aggravating circumstances in breach of legislation on non proliferation of WMD, etc.

- 1) performs dual-use items without a license,
- 2) for use by the authorities' decisions on dual-use items provides false or misleading information or conceals information of importance to the decision or
- 3) acts contrary to the conditions laid down in the authorities' decisions on dual-use items.

**§ 115.** committed without the matter falls under §§ 112 and 113, any of the chapters 25, 26 and 27 crimes against the king or the person on the basis of the Constitution, the Government increased the most in those provisions prescribed penalties up to double.

*PCS. 2.* committed any of these crimes against the Queen, the Queen Dowager or the heir apparent, the penalty may be increased by up to half.

**§ 116.** Whoever prevents the making of general elections, the Faroese Parliament or to municipal or other public councils or authorities or makes any attempt thereat or distort an election outcome or impossible statement, punishable by imprisonment for up to six years.

*PCS. 2.* The same penalty shall apply when such actions are taken by statutory immediate voting cycles in public affairs.

**§ 117.** With a fine or imprisonment up to 2 years on, as in the in § 116 of the electoral or voting cycles

- 1) unlawfully obtains oneself or others to participate in the vote,
- 2) by unlawful coercion (§ 260) by deprivation of liberty or by abuse of overordnelsesforhold seek to persuade someone to vote in a particular way or to abstain from voting,
- 3) by fraud means that someone on his intention to refrain from voting, or that his vote will be invalid or works differently than intended,
- 4) gives, promises or offers financial advantages to influence someone to vote in a certain way or to abstain from voting,
- 5) receives, demands or accepts the promise of wealth in favor of the vote in a certain way or to abstain.

**§ 118.** Whoever by force or threat thereof, or the use of fear of foreign power intervention prevents or discourages public authorities in the free exercise of their activities shall be liable when the action is carried out with the purpose of influencing public affairs or cause disturbance of public order, with imprisonment up to 12 years.

*PCS. 2.* The same penalty shall apply to it, as in the paragraph. One that intention and using those funds referred to severely violate freedom of expression or prevents unions or other associations from freely exercising their legitimate business.

*PCS. 3.* The same penalty shall also be regarded in the paragraph. 1 said object and using the said means to make the in § 193 referred to crime, or the like general harmful action.

**§ 118 a.** The in §§ 111-115 and 118 crimes concerned in all cases subject to public prosecution, which happens after the Minister of Justice injunction.

#### 14. Chapter

##### *Crimes against the public authority etc.*

**§ 119.** Whoever by violence or threat of violence assaulting someone, who shall act in accordance with public officials, in carrying out the service or the office or in respect of the same or of equal way seek to prevent such person from doing a lawful act of service or to force him to make a service offense punishable by fine or imprisonment for up to eight years.

*PCS. 2.* The same penalty that without the matter falls within paragraph. 1, makes threats of violence, detention or to interdict criminal offense or ærerørigt compared to someone who the public conferred jurisdiction or authority to rule on legal matters or relating to enforcement of the state's jurisdiction, on the occasion of the performance of the service or activity or the right way seek to prevent such a person from making a lawful act of service or to force him to make an act of service.

*PCS. 3.* Adds anyone else these people obstruct the performance of their service or duty, punished him with a fine or imprisonment for up to 1 year and 6 months.

**§ 120.** The in § 119 prescribed penalties are when the given actions implemented through the finish, apply to those who instigate or leader bud, and the participants who fail to comply with the magistrates legally announced orders to amount to separated.

**§ 121.** He who with scorn, epithets or other abusive prosecution assaulting any of the § 119 persons mentioned in the execution of his service or duty or in respect of the same, shall be punished by fine or imprisonment up to 6 months.

**§ 122.** The wrongly gives, promises or offers someone who works in Danish, foreign or international public officials, gift or other advantage to induce that person to do or refrain from doing something in the service shall be punished by fine or imprisonment up to 3 years.

**§ 123.** Whoever with the threat of violence molests or with violence, unlawful coercion by § 260, threats by § 266 or otherwise commits an offense against a person or his relatives or others associated with this on the occasion of person expected or already made explanation to the police or in court, punishable by fine or imprisonment up to 8 years.

**§ 124.** The fleeing as arrested or imprisoned, punished with a fine or imprisonment up to 2 years.

*PCS. 2.* The same penalty that frees one arrested, imprisoned or forced placed person as well as that encourages or assists such a person to dodge or keep the escaped hidden.

*PCS. 3.* The unlawfully sits in connection with any prison or forced placed person shall be punished by fine or imprisonment for up to three months.

*PCS. 4.* Whoever in a local prison or closed prison as arrested or imprisoned unlawfully possessing a mobile telephone or similar communications equipment, punishable by fine or imprisonment for up to six months. The same penalty visitors and other external unduly includes a mobile telephone or similar communications equipment in a local prison or closed prison.

*PCS. 5.* The provisions of paragraphs. 1-3 also applies to persons in custody and persons instead of custody in connection with the execution of sentence outside prison service or pursuant to Penal Code § 74 a person is detained in an institution, etc. The provision of subsection. 4, first paragraph., Also applies to persons in custody.

**§ 125.** A fine or imprisonment up to two years is punishable by

- 1) to evade anyone from prosecution for a crime or punishment keeps him hidden, helps him escape or release him for a second,
- 2) destroys, distorts or disposing of artifacts related to a public inquiry or wipes out one crime clues.

*PCS. 2.* The carrying out these actions to evade or someone of his closest from prosecution or punishment, not punished.

**§ 125 a.** Any person who for profit and in otherwise especially aggravating circumstances be guilty of smuggling permit under § 59 paragraph. 7, no. 1-5, punishable by imprisonment for up to eight years. In particular aggravating circumstances are especially instances where the lives of others at risk or where there are infringements of more systematic or organized nature.

**§ 126.** Any person who removes or destroys something about public measure placed seal or mark shall be punished by fine or imprisonment up to 6 months.

*PCS. 2.* A fine or imprisonment up to three months imposed on anyone who takes away or injuring anyone in public measure posted notice.

**§ 127.** Those who evade military service or causes or contributes to any conscript does not meet conscription or who encourage conscripts or persons who belong to the war power to disobey official commandments, punishable by fine or imprisonment for up to two years.

*PCS. 2.* If this happens during war or imminent view thereto, the punishment imprisonment for up to six years.

**§ 128.** Whoever in the Danish state making soliciting for foreign military service, punishable by fine or imprisonment up to two years.

**§ 129.** The wrongly gives public notice of the in § 116 mentioned the elections and voting cycles PRECEDING or on negotiations of a confidential nature in the public councils and authorities liable to a fine or imprisonment up to three months. At the same penalty as unjustified give public notice on negotiations within the commissions and committees set up by the government, if it either by the government or by the competent commission or committee itself is fixed and public announced that negotiations are secret.

**§ 129 a.** With a fine or imprisonment up to 2 years the publishing deliberately false representations or false quotes messages about facts presented in court or given in the Parliamentary, municipal or public Council meetings or authorities.

*PCS. 2.* The same penalty that by deliberately untruthfully publicly attributing to the government or any other public authority, an action that it did not conduct, damage the country's interests in relation to abroad.

**§ 130.** Any person who exercises a him not to come public authority, punishable by fine or imprisonment for up to two years.

**§ 131.** A fine or imprisonment up to six months imposed on anyone who publicly or unlawful intent pretending to be a public authority or public authority to an undertaking or without public authority exercises a business to which it is required, or continue to engage in an activity for which the right is he disqualified.

*PCS. 2.* A fine or under aggravating circumstances with imprisonment for up to four months imposed on anyone who contributes to a person who is disqualified from an activity for exercising this.

**§ 132.** Penalty, who intentionally or through negligence unlawfully uses

- 1) characteristics or suit, reserved for Danish or foreign public authority or military personnel
- 2) characteristics or designation, reserved people, devices and equipment that are intended to provide assistance to wounded or sick of war, or
- 3) characteristics or name of intergovernmental organizations.

*PCS. 2.* The provisions of paragraph. 1 shall apply mutatis mutandis with regard to counterfeiting of the said characters, costumes and names.

**§ 132 a.** Any person who participates in the continuation of an association's business after it provisionally banned by the government or dissolved by judgment, punishable by fine or imprisonment up to two years.

## 15. Chapter

### *Crimes against public order and peace*

**§ 133.** Any person who causes riots with the intent to practice or threaten violence to persons or goods, punishable by a fine or imprisonment up to three years.

*PCS. 2.* The same penalty as those in a crowd under which these purposes are put forth, acting as Bud's leaders, as well as any participant who fails to comply with the magistrates legally announced an order for the amount to be separated.

*PCS. 3.* committed during such a crowd anyone within its objectives related crime punishable Bud instigators or leaders for the provision applicable to the crime.

**§ 134.** Participants in a crowd who knew that injunction to be separated is served in prescribed manner, does not do so is punishable by a fine or imprisonment for up to three months.

**§ 134 a.** Participants in fights or other serious disturbance of peace and order in a public place be punished if they acted by appointment or more in association with imprisonment up to 1 year and 6 months.

**§ 134 b.** The person who in connection with meetings, assemblies, occupied or the like in a public place move with the face totally or partially protected by a cap, mask, painting, or the like in a manner that is suitable for preventing the identification subject to a fine or imprisonment for up to six months.

*PCS. 2.* On the same penalty as a public place holds objects that must be considered intended for covering of the face in accordance with paragraph. 1 mentioned circumstances.

*PCS. 3.* in paragraph. 1 and 2 that prohibition is not applicable to the covering of the face, is made to protect against the weather or fulfilling other creditable purpose.

**§ 135.** A fine or imprisonment up to three months imposed on anyone who by unjust invocation of help, abuse of danger signal power. like. causing emergency police, ambulance, fire and rescue services or sea or air ambulance.

**§ 136.** Any person who, without thereby having incurred a higher penalty shall encourage crime, punishable by fine or imprisonment for up to four years.

*PCS. 2.* Whoever publicly explicitly condones any operation in this Act 12 or 13. Chapter referred to crimes punishable by fine or imprisonment up to two years.

**§ 137.** He who seeks to prevent the holding of lawful public gathering, punishable by fine or imprisonment for up to two years.

*PCS. 2.* The same penalty that by noise or disorder disrupts public session of parliament, the Faroese Parliament, municipal or other public councils, church service or other public church ceremony or in immodest way interfere funeral.

**§ 138.** Any person who willfully or through gross negligence brings in a drunken state, punishable by fine or imprisonment up to one year if he is in this state exposes people's person or more significant assets at risk.

**§ 139.** Any person who violates graves or guilty of indecent treatment of corpses, punishable by fine or imprisonment for up to six months.

*PCS. 2.* On the same penalty as guilty of indecent treatment of things that belong to a church and used for ecclesiastical use.

**§ 140.** The posted operating insult or deride anything in this country lawfully existing religious community's religious doctrines or worship, punishable by fine or imprisonment for up to four months.

**§ 141.** Any person who is aware that any of the §§ 98, 99, 102, 106, 109, 110, 111, 112 and 113 referred to crimes against the state or the highest state authorities or a crime endangering human life or welfare or significant societal values, aims committed and do what is in his power to prevent the crime or its consequences, if necessary by notification to the authorities is punishable if the crime is being committed or attempted, with fine or imprisonment up to three years.

*PCS. 2.* Any person who fails to make such preventive actions punished, however, if their making for himself or his nearest would endanger the life, health or welfare.

**§ 142.** A fine or imprisonment up to three months imposed on anyone who fails upon request to provide any whom public authority is for, an assistance which the accident or crime, exposing other people's life, health or welfare of danger must be averted, although such assistance could be provided without risk or sacrifice of greater importance.

**§ 143.** (Repealed)

## 16. Chapter

### *Crimes of public officials, etc.*

**§ 144.** Any person who in the pursuit of Danish, foreign or international public officials wrongly received demands or accepts the promise of a gift or other advantage, punishable by fine or imprisonment for up to six years.

**§ 145.** Requires or receive someone who works in public officials for private gain order for service action, taxes or charges that are not caused, is punishable he a fine or imprisonment up to 6 years. If he keeps for private gain such in good faith up stretcher performance after becoming aware of the error, he punished with a fine or imprisonment for up to two years.

**§ 146.** Commits someone who has jurisdiction or who is for the public authority to decide on legal matters relating to private, injustice deciding the case or treatment, punished him with imprisonment up to six years.

*PCS. 2.* committed the act with intent to welfare loss for someone, the penalty is imprisonment up to 16 years.

**§ 147.** When someone, who shall act to enforce the state's jurisdiction, thereby using illegal means to obtain confession or explanation or making an illegal arrest, detention, search and seizure, punished him with a fine or imprisonment of up to three years.

**§ 148.** When someone whom judicial or other public authority to decide on legal relationship is for, or who shall act for the enforcement of the state's jurisdiction, willful or negligent failure to observe the statutory approach to the or each retshandlingers treatment or with respect to arrest, detention, search, seizure or similar measures, punished him with a fine or imprisonment for up to four months.

**§ 149.** When someone whom one caught guarding or enforcement of judgments in criminal responsibility, let a suspect escape, prevents the execution of the judgment or causes the enforced milder way than prescribed, punishable he a fine or imprisonment up to three years.

**§ 150.** When someone who works in public service or duty, abusing his position to force anyone to do, tolerate or refrain from doing something, punished him with imprisonment up to three years.

**§ 151.** Any person who encourages or assists someone who is subordinate part of public officials in violation of this service shall be punished, regardless of whether the child can be punished or due to error or for other reasons from punishment after the crime for which current provision.

**§ 152.** Any person who works or has worked in the public officials and unjustified pass on or use confidential information to which the person in this connection has knowledge, punishable by fine or imprisonment for up to six months.

*PCS. 2.* committed in paragraph. 1 shall relationship with intent to procure or other restitution or there also particularly aggravating circumstances, the penalty may increase to imprisonment for up to two years. In particular aggravating factor considered in particular cases where the transfer or the use made under such circumstances as to cause other significant harm or pose a particular risk.

*PCS. 3.* An information is confidential when by law or valid provision is classified as such, or whenever it is necessary to protect it in order to meet essential public or private interests.

**§ 152 a.** The provision of § 152 applies mutatis mutandis to the which also is or has been engaged in the tasks carried out in agreement with a public authority. The same applies who works or has worked at the telephone which are recognized by the public.

**§ 152 b.** The same punishment as for § 152 Any person who carries or has carried a business or profession under public official or recognition and unauthorized disclose or exploit information that is confidential for the sake of private interests, and to which the person in this connection has knowledge.

*PCS. 2.* The same punishment as for § 152 is also the punishment that works or has worked as a servant of the European Statistical Office, or who work or have worked in the Office premises and unjustified pass on or use confidential statistical data to which the person in this connection has knowledge.

**§ 152C.** The provisions of §§ 152 to 152 b also applies to the persons concerned assistants.

**§ 152 d.** The provisions of §§ 152-152 c apply mutatis mutandis to the who, without having contributed to the act wrongly obtains or utilizes information obtained from such a breach.

*PCS. 2.* The same punishment imposed on anyone who, without having contributed to the act wrongly disclose any information about individuals purely personal meaning. Administration § 28 para. 1, which is derived from the violation of §§ 152-152 c.

*PCS. 3.* On the same penalty, as without having contributed to the act wrongly conveys information that is confidential for reasons of national security or defense of the realm.

**§ 152 e.** The provisions of §§ 152 to 152 d does not include cases where the person:

- 1) is required to be disclosed or
- 2) acting in legitimate exercise of evident public interest or of its own or others' interests.

**§ 152 f.** Violation of §§ 152 to 152 d, which alone is violated private interests, are subject to private prosecution.

*PCS. 2.* Public prosecution may happen when the victim requests it.

**§§ 153-154.** (Canceled)

**§ 155.** Abusing someone who works in public service or duty, his position to violate individuals or public court punished him with a fine or imprisonment for up to four months. If this happens to get or other undue advantage to imprisonment for up to two years is used.

**§ 156.** When someone who works in public service or duty, refuses or fails to perform the duty, as the service or activity causes or to comply with legal professional commandment punished him with a fine or imprisonment for up to four months. Outside the foregoing provision falls duties, whose performance is based on public elections.

**§ 157.** When someone who works in public officials guilty of gross or repeated negligence or carelessness in the service or performance of the assignment or in compliance with the duties of the service or activity causes he shall be liable to a fine or imprisonment up to 4 months. Outside the foregoing provision falls duties, whose performance is based on public elections.

**§ 157a.** In determining the penalty for a violation of this Act should be included as an aggravating circumstance that the infringement was committed by torture.

*PCS. 2.* The infringement is considered committed by torture, if committed in the exercise of Danish, foreign or international public officials by adding another person injury to body or health, or severe physical or mental pain or suffering

- 1) to obtain information or a confession from someone
- 2) to punish, intimidate or coerce anyone to do, tolerate or refrain from doing something or
- 3) because of his political beliefs, gender, race, color, national or ethnic origin, religion or sexual orientation.

**§ 157 b.** The provisions of §§ 145 to 157 apply *mutatis mutandis* in the pursuit of foreign or international public officials if the action is covered by § 157 a.

## 17. Chapter

### *Perjury and false accusation*

**§ 158.** Any person who provides false testimony to the court, including by means of telecommunications, punishable by imprisonment for up to four years. The provision shall also apply to false evidence for a foreign law.

*PCS. 2.* The same punishment shall be there to give false testimony to the European Court.

*PCS. 3.* Regards the false statements alone something that is irrelevant to the fact sought to be given, the sentence can go down to a fine.

**§ 159.** Gives any false testimony as a defendant in a public criminal proceedings or during interrogation in cases where explanation by law can not require punishment he did not.

*PCS. 2.* perjury during questioning before the court in cases where the interviewed were entitled to refuse explanation, the penalty may be reduced and in otherwise mitigating circumstances lapse.

**§ 160.** Does anyone guilty of gross negligence by falsely explanation in a case that would otherwise be punishable under § 158 or § 159 paragraph. 2, the penalty is a fine or imprisonment for up to four months.

**§ 161.** With a fine or imprisonment up to 2 years if he, as outside in § 158 cases referred or to a public authority gives a false statement on his honor or similarly solemn manner in which such form is required or tilstedt.

**§ 162.** Whoever else or to a public authority untrue statements about matters concerning which he is obliged to give evidence shall be punished by fine or imprisonment up to 4 months.

**§ 163.** Any person who for use in legal matters of concern to the public, in writing or in any other readable media untrue statements or witness something that the person has knowledge of fines or imprisonment for up to four months.

**§ 164.** A person who submits false information to a public authority with the intention that an innocent thereby being charged, convicted or subject to criminal sanction for a criminal offense, punishable by imprisonment for up to six years.

*PCS. 2.* In the same way imposed on anyone who destroys, distorts or disposing proof or provides evidence false with intent that no allusion or ordered for a criminal offense.

*PCS. 3.* The person who takes an action referred to in paragraph. 1 and 2 with the intention that he or another with his consent would become charged, convicted or subject to criminal sanction for a crime he did not commit, punishable by a fine or imprisonment up to one year.

*PCS. 4.* After the injured party may in the judgment provides that the judgment so and so much of judgment the reasons which the court deems necessary, by public measures must be announced in one or more gazettes.

**§ 164 a.** Any person who fails to disclose circumstances that certainly speaks to that of a crime charged or convicted are innocent, although this could be done without exposing the person concerned or his immediate danger to life, health or welfare or prosecution of the case crime punishable by fine or imprisonment up to one year.

**§ 165.** Whoever public authority shall notify an offense that is not committed, as well as that of such authority shall submit false complaints, fines or imprisonment for up to six months.

## 18. Chapter

### *Offenses related to payment instruments*

**§ 166.** Whoever imitates or forges money in order to bring them into circulation as genuine, or in the same intent forskafter themselves or other imitation or counterfeit money is punishable by imprisonment up to 12 years.

**§ 167.** Right of counterfeiting and forgery punishable release of counterfeit or forged money. Have the publisher received the money in good faith, the penalty may be reduced to a fine.

**§ 168.** Any person who publishes money that he suspect is counterfeit or forged, punishable by fine or imprisonment up to three years. Have the publisher received the money in good faith, the penalty may be canceled.

**§ 169.** Penalty, which forfærdiger, imports or disseminates objects by shape and equipment poses significant similarity with money or with a general circulation particular security.

**§ 169a.** A fine or imprisonment up to one year and six months imposed on anyone who unlawfully manufactures, procures or disseminating false electronic money with the intent that they be used as genuine.

*PCS. 2.* When false electronic money means funds without being genuine electronic money are suitable to be used as such.

*PCS. 3.* The penalty may increase to imprisonment for six years if the offense is aggravated, in particular because of the way it is done, or because of the amount.

**§ 170.** A fine or imprisonment up to three months to punishment, which was contrary to the law forfærdiger introduces or publisher payable to bearer debentures, which appear as intended in narrower or wider circles to be used as legal tender between man and man or who may is likely to be used in this way. Outside the foregoing provision falls foreign banknotes.

## 19 Chapter

### *Offenses related evidence*

**§ 171.** Whoever makes use of a false document to disappoint in legal matters punished for forgery.

*PCS. 2.* When a document is defined as a written or electronically with the name of the issuer provided indication that behaves as intended to serve as evidence.

*PCS. 3.* A document is false when it does not come from the specified issuer, or given it a content that does not originate from this.

**§ 172.** The penalty for forgery is a fine or imprisonment up to 2 years.

*PCS. 2.* Is forgery of particularly serious, or has a large number of crimes, the penalty may increase to imprisonment for six years.

**§ 173.** The penalty as in § 172 indications to the one that uses a with true signature provided document to mislead the relationship when the signature by means of an aberration is obtained on a second document or a document of content other than of the signatory intentional.

**§ 174.** Whoever in relationship makes use of a genuine document relating to a person other than the person who is really concerned, or otherwise to the document's provision contrary manner is punishable by a fine or imprisonment up to 6 months.

**§ 175.** He who to disappoint in legal matters in the public document or book, in private document or book that the law or special duty ratio borne by the establishing or lead, or in medical, dental, midwife or veterinary certificate false declaration concerning any matter regarding which the declaration will serve as evidence shall be punished by fine or imprisonment up to three years.

*PCS. 2.* The same penalty that the relationship makes use of such a document or such a book as containing truth.

*PCS. 3.* The provisions of paragraphs. 1 and 2 shall apply mutatis mutandis when the document or book are drawn or driven to other readable media.

**§ 176.** A fine or imprisonment up to three years imposed on anyone who to disappoint in trade make use of items that unduly affixed publicly stamp or mark, which should furnish the castle of object authenticity, nature, goodness or quantity.

*PCS. 2.* A fine or imprisonment up to one year punishment that similarly makes use of items wrongly provided with private stamp, mark or other designation used to indicate any article relating to matters that are of importance to trade .

*PCS. 3.* With the sentence as described above is considered the one in the same manner makes use of the articles to which legally disposed stamp, mark or name is distorted or removed.

**§ 177.** With imprisonment up to 8 years is considered the one that makes use of counterfeited or forged stamp paper, stamps, other rectification of public taxes ministering brands and postal stamps. With a relative smaller penalty is considered the one which makes use of previously used paper or labels to which the token of the past use has been removed.

*PCS. 2.* The rule in § 169 shall apply mutatis mutandis with respect to stamps, postal stamps and the like release agents.

**§ 178.** With a fine or imprisonment up to 2 years on which to discard any of his rights destroy, dispose of or all or part ubrugbargør proof agent that is appropriate to be used as such in a relationship.

**§ 179.** He who to disappoint in terms of the limits of reason property, fundamental rights or rights with respect to watercourses or water lines put false boundary stones or other brand of these or moves, removes, defaces or destroys such brand, punishable by fine or imprisonment up 3 years.

## 20. Chapter

### *General Hazardous crimes*

**§ 180.** Puts any fire to domestic or foreign property under such circumstances that he realizes that the lives of others thereby exposed to imminent danger, or it is done with intent to cause extensive destruction of foreign property or to carry riot, looting or other such disturbance of the public order, punished him with imprisonment up to life imprisonment.

**§ 181.** OR INJURY CAUSED someone else fire on foreign property, punished him with imprisonment up to six years.

*PCS. 2.* The same penalty that with intent to defraud fire insurance or infringe mortgagees' rights or similar unlawful intentionally causing fire on their property or on someone's property with the owner's consent.

*PCS. 3.* The penalty may increase to imprisonment for 10 years if there are particularly aggravating circumstances.

**§ 182.** Any person who by negligence causes the conflagration on foreign property or to the detriment of foreign capital interest, fines or imprisonment for up to two years.



**§ 183.** Whoever with intent to harm on other people's person or property causing explosion, spreading of noxious gases, flood, shipwreck, railway or other transport accident, punishable by imprisonment up to 12 years.

*PCS. 2.* Are the any of the paragraph. 1 acts mentioned under the conditions of § 180 specified circumstances, the penalty is imprisonment up to life imprisonment.

*PCS. 3.* committed the crime through negligence, the penalty is a fine or imprisonment up to 2 years.

**§ 183 a.** Any person who by unlawful coercion, see. § 260, take control of an aircraft, ship or another collective transport or freight agent, or interfere with its maneuvering, punishable by imprisonment for up to life imprisonment.

*PCS. 2.* On the same penalty as the illicit coercion, see. § 260, take control of an offshore installation.

**§ 184.** With a fine or imprisonment up to 2 years or under particularly aggravating circumstances by imprisonment up to 6 years imposed on anyone who, without being guilty according to § 183 or § 183a disturbs the safety of the railway, ships, motor vehicles or similar means of transport operation or the safety of traffic on public roads.

*PCS. 2.* committed the crime through negligence, the penalty is a fine or imprisonment for up to four months.

**§ 185.** With a fine or imprisonment up to 2 years on that, although it was possible for him without any particular risk or sacrifice to themselves or others fail through timely review or otherwise in the circumstances suitable way by the ability to ward off fire, explosion, spread of harmful gases, flooding, søskade, railway accident or similar accident, endangering human lives.

**§ 186.** Any person who causes harm to human life or health by causing general lack of drinking water or by adding water supplies, water lines or water courses hazardous substances shall be punished with imprisonment up to 10 years.

*PCS. 2.* committed the crime through negligence, the penalty is a fine or imprisonment for up to one year.

**§ 187.** With imprisonment up to 10 years punished

- 1) that adds things that are intended for negotiation or widespread use, poison or other substances which means that the thing's use for its intended exposes human health risk,
- 2) that when such thing is so corrupted that the enjoyment or use of them is in the specified way hazardous to health, subjecting them to a treatment that is suitable to hide their damaged state,
- 3) the one with the concealment of treatment carried put for sale or otherwise seek to spread things that are treated as under 1) or 2) above.

*PCS. 2.* committed the crime through negligence, the penalty is a fine or imprisonment for up to one year.

**§ 188.** Any person who without being guilty by § 187, no. 3, with the concealment of the thing hazardous nature makes for sale or otherwise seek widespread

- 1) The food, beverage, or tobacco, which, due to spoilage, inadequate preparation, storage means, or for similar reasons wholesomeness,
- 2) use objects during normal use exposes human health risk, punishable by fine or imprisonment for up to six years.

*PCS. 2.* committed the crime through negligence, the penalty is a fine or imprisonment for up to four months.

**§ 189.** Any person who makes for sale or otherwise seek common as drugs or preventive agents against diseases things about which he knows that they are unsuitable for the purposes intended and that their use here exposes human life or health at risk, punished fine or imprisonment of up to six years.

*PCS. 2.* committed the crime through negligence, the penalty is a fine or imprisonment for up to four months.

**§ 190.** Exposing under similar conditions as in §§ 186-189 Specified only domestic animal life or health in danger, the penalty is a fine or imprisonment for up to six years.

**§ 191.** Whoever in violation of the law on narcotics to a larger number of people or against considerable remuneration or under aggravating circumstances transfers narcotics is punishable by imprisonment up to 10 years. Should the transfer a significant amount of particularly dangerous or harmful substance, or transfer of such substance has otherwise been a particularly dangerous nature, the penalty may increase to imprisonment for 16 years.

*PCS. 2.* The same penalty that against the law on narcotics imports, exports, buys, delivers, receives, manufactures, processes or possesses such substances with the intention of transferring them as referred to in paragraph. First

**§ 191 a.** (Repealed)

**§ 192.** Whoever breaches of the regulations by law or under the law is given for preventing or counteracting infectious disease, causing a danger that such a disease gaining entry or spread among humans, punishable by imprisonment of up to three years .

*PCS. 2.* Is the disease such that by law must be granted or at the time when the offense is subject to public hearing, or against the introduction of the kingdom taken special precautions, the penalty is imprisonment for up to six years.

*PCS. 3.* Whoever in the manner causing danger of contagious disease takes input or disseminated pets or farm animals or cultivated plants, punishable by fine or imprisonment up to two years.

*PCS. 4.* committed the crime through negligence, the penalty is a fine or imprisonment for up to six months.

**§ 192 a.** With imprisonment from one year up to 6 years imposed on anyone who violates the law on weapons and explosives at the aggravating circumstances the import, export, transport, purchase, transfer, possession, carrying, use, adapt, develop or for the development research

- 1) firearms or
- 2) other weapons or explosives when the weapon or explosive substances because of their highly dangerous character are suitable to cause significant damage.

*PCS. 2.* Any person who otherwise violate the law on weapons and explosives with particular aggravating circumstances, punishable by imprisonment for up to six years.

**§ 192 b.** Whoever with intent to harm to others person or substantial damage to someone else's environmental receive, possess, transfer or alter radioactive material or makes or possesses an explosive nuclear device or a device that is intended to spread the radioactive substances or capable of emitting ionizing radiation imprisonment up to 6 years.

*PCS. 2.* With imprisonment up to 12 years imposed on anyone who intentionally injured others person or significant damage to other people's things or to the environment or to force anyone to do or abstain from doing any act

- 1) uses radioactive materials or devices to emit ionizing radiation,
- 2) remove, alter or damage the necessary protection against the spread of radioactive substances or against ionizing radiation or
- 3) use or damage a nuclear facility, with the result that there is leakage of radioactive material, or presenting a risk thereof.

*PCS. 3.* Are the one specified in paragraph. 2 that acts at the § 180 in specified circumstances or, with the result that there is extensive damage to the environment or presenting an obvious risk thereof, the penalty is imprisonment up for life.

*PCS. 4.* committed the crime through negligence, the penalty is a fine or imprisonment up to 2 years.

## 21 Chapter

### *Different general harmful actions*

**§ 193.** A person who unlawfully induces extensive disturbance in the operation of public means of communication, public postal, telegraph and telephone systems, broadcasting systems, information systems or installations which serve for general supply of water, gas, electric current or heat, punishable by fine or imprisonment for up to six years.

*PCS. 2.* committed the crime gross negligence, the penalty is a fine or imprisonment for up to six months.

**§ 194.** Any person who removes, destroys or damages public memorials or items that are specific for general utility or ornamental, belongs to public collections or special peace shone, punishable by fine or imprisonment for up to three years.

**§ 195.** Those who make food for sale that he deliberately counterfeited or forged without their nature unequivocally stated on the item itself or on its label or packaging, on the invoice, if issued, punishable by fine or imprisonment for up to three months.

**§ 196.** With imprisonment up to six years punishable under aggravating circumstances in breach of environmental law

- 1) pollute the air, water, soil or subsoil resulting in that substantial damage to the environment or presenting an obvious risk thereof, or
- 2) storing or disposing of waste or similar substances, with the result that there is considerable damage to the environment or presenting an obvious risk thereof.

*PCS. 2.* The same penalty that contravene environmental law pollute the air, water, soil or subsoil or storing or disposing of waste or similar substances, in the case of violations of more systematic or organized nature.

## 22 Chapter

### *Begging and harmful economic activities*

**§ 197.** Whoever against police warning guilty of begging or allow anyone under 18 who belong to his household, mendicant, punishable by imprisonment for up to six months. Under extenuating circumstances the penalty may be canceled. Warning after this clause shall be valid for five years.

**§§ 198-202.** (Canceled)

**§ 203.** He who seeks a trade by gambling or betting of a similar nature that are not in special provision is allowed, or by promoting such games, punishable by a fine or imprisonment up to one year.

*PCS. 2.* The court will decide whether the takeover dividend be withdrawn or repaid.

**§ 204.** Any person who in a public place outside a venue or shall illegal gambling, punishable by fine or imprisonment for up to six months.

*PCS. 2.* Right of public place is considered union premises when anyone or anyone of a certain class may normally be admitted in the club or illegal gambling is part of the association's purpose or special payment for participation in the game.

*PCS. 3.* A person who in a public place participating in illegal gambling, punishable by a fine.

**§§ 205-207.** (Canceled)

*Crimes against family relationships*

**§ 208.** Any person who marries or leaves his partnership registered, and who are already married or a party to a registered partnership shall be punished by imprisonment of up to three years or if the other person was unaware of the existing marriage or registered partnership , with imprisonment up to six years.

*PCS. 2.* committed the act of gross negligence, the penalty is imprisonment up to one year.

*PCS. 3.* Any person who without being married or be a party to a registered partnership is part of marriage or registered partnership with a person who is already married or a party to a registered partnership shall be punished by imprisonment of up to one year.

*PCS. 4.* It should be considered a mitigating circumstance for those who are already married or a party to a registered partnership, if the recent marriage or registered partnership can not be reversed. Under the same condition can be the punishment for the person who is neither married nor a party to a registered partnership lapse completely.

**§ 209.** (Repealed)

**§ 210.** A person who has sexual intercourse with a descendant shall be punished by imprisonment for up to six years.

*PCS. 2.* Whoever has sexual intercourse with his brother or sister, shall be punished with imprisonment up to two years. The penalty can be waived for those who are under 18 years.

*PCS. 3.* The provisions of paragraphs. 1 and 2 apply correspondingly with respect to sexual activities with a person of the same sex and sexual relations other than sexual intercourse.

**§§ 211-212.** (Canceled)

**§ 213.** Any person who by neglect or degrading treatment violates his or her spouse, child or any of his authority or care under the given person under 18 years or in the ascending line related or related by marriage or by reluctant to evade him against any of the persons chargeable provident or pension contributions to expose them to hardship, punishable by imprisonment for up to two years.

**§ 214.** (Repealed)

**§ 215.** Whoever evades a person under 18 parents or other person's authority or care or help him evading such authority or care shall be punished in accordance with § 261st

*PCS. 2.* The same penalty that illegally takes the child out of the country.

*Sexual offenses similarity*

**§ 216.** Whoever seizes her intercourse by violence or threat of violence, guilty of rape with imprisonment up to 8 years. With The placing in a state in which the person is unable to resist the act.

*PCS. 2.* The penalty may increase to imprisonment for 12 years if the rape has had a particularly dangerous nature, or in particularly aggravating circumstances.

**§ 217.** Any person who procures sexual intercourse by other illegal coercion, see. § 260, than violence or threat of violence is punishable by imprisonment for up to four years.

**§ 218.** Whoever by use of a person's mental illness or mental retardation procures sexual intercourse outside of marriage to that, punishable by imprisonment for up to four years.

*PCS. 2.* Whoever procures sexual intercourse outside of marriage with a person who is in a state in which the person is unable to resist the act shall be punished by imprisonment for up to four years, unless the situation is covered by § 216 .

**§ 219.** The employed or in charge of prison reception centers, children's or youth homes, mental hospital, institution for people with severe mental disability or similar institution and having sexual intercourse with someone who is admitted in the institution, punishable by imprisonment for up to four years.

**§ 220.** Any person who by grave abuse of a person's subordinate position or economic dependence procures sexual intercourse outside of marriage to that, punishable by imprisonment for up to one year or, if the relationship is committed against a person under 21 years, with imprisonment up to three year.

**§ 221.** With imprisonment up to six years imposed on anyone who tilsniger intercourse with a person who is erring consider intercourse as marital or confuse the perpetrator of another.

**§ 222.** Whoever has sexual intercourse with a child under 15, punishable by imprisonment for up to eight years.

*PCS. 2.* Has the child been under 12 years, or have the perpetrator gained intercourse by coercion or threats, the penalty may increase to imprisonment for up to 12 years.

*PCS. 3.* In determining the penalty under paragraph. 1 and paragraph. 2, the first part, should be included as an aggravating circumstance that the perpetrator has gained intercourse by exploiting his physical or mental superiority.

**§ 223.** Whoever has sexual intercourse with a person under 18 who is the guilty one adopted child, stepchild or foster child or assigned to the teaching or upbringing, punishable by imprisonment for up to four years.

*PCS. 2.* The same punishment shall be as the gross abuses of the age and experience-reliant superiority seduces a person under 18 to sexual intercourse.

**§ 223a.** Whoever the customer for payment or promise of payment has sexual intercourse with a person under 18, punishable by fine or imprisonment up to two years.

**§ 224.** The provisions of §§ 216 to 223 shall similarly apply to sexual relations other than sexual intercourse.

**§ 225.** The provisions of §§ 216-220 and 222- 223 a shall apply mutatis mutandis with regard to sexual acts with a person of the same sex.

**§ 226.** If in cases where after the foregoing provisions gerringens criminality depends upon the injured person from abnormal mental or physical condition or age of the person, the perpetrator acted without the knowledge of his condition or age, and action for this reason can not be imputed his intent, will, if he be negligent, a comparatively minor penalty to apply.

**§ 227.** Penalties under §§ 216-226 may be reduced or waived when persons between whom sexual acts have occurred has joined into marriage with each other or have had their partnership registered.

**§ 228.** Whoever

- 1) induces another to seek profit by sexual immorality with others
- 2) for profit induces another to sexual immorality with others or hold someone operating engage in sexual immorality, from abandoning it, or
- 3) keeps brothel punished for procuring to imprisonment up to 4 years.

*PCS. 2.* The same penalty that incites or helps a person under 21 to engage in sexual immorality as contributing to a person's carriage out of the kingdom, to this abroad to drive engage in sexual immorality or used for such immorality when the person transported is under 21 or unaware of the purpose.

**§ 229.** The promoting sexual immorality by for profit or frequently repeated cases act as an intermediary or make use someone else's engage in sexual immorality imprisonment up to 3 years or under extenuating circumstances by fine.

*PCS. 2.* He who rent out room in the hotel or guest house to be used for commercial fornication, punishable by imprisonment for up to one year or mitigating circumstances, to a fine.

**§ 230.** The occupying obscene photographs, films, etc. of a person under 18 with intent to sell or otherwise disseminating material is punishable by a fine or imprisonment not exceeding 2 years or under particularly aggravating circumstances, imprisonment for up to six years . In particular aggravating circumstances are especially instances where the child's life at risk, using serious violence, which caused the child serious harm, or where the case of recordings of more systematic or organized nature. § 226 shall apply accordingly.

**§ 231.** If the person to be convicted under §§ 228 or 229, previously convicted of any of these provisions are addressed crime, or if he has an enrichment crime has been sentenced to prison, the penalty may be increased by up to half.

**§ 232.** Any person who by indecent conditions violate decency or provide public outrage punishable by fine or imprisonment up to four years.

**§ 233.** Any person who encourages or invites for fornication or make immoral way of life on display in a way that is suitable to molest others or arouse public outrage punishable by fine or imprisonment up to one year.

**§ 234.** The selling obscene pictures or objects to a person under 16, punishable by a fine.

**§ 235.** Any person who disseminates obscene photographs or films, other immoral visual reproductions etc. of persons under 18, punishable by a fine or imprisonment not exceeding 2 years or under particularly aggravating circumstances, imprisonment for up to six years. In particular aggravating circumstances are especially instances where the child's life at risk, using serious violence, which caused the child serious harm, or where the case of dissemination of more systematic or organized nature.

*PCS. 2.* Any person who possesses or against consideration or through the Internet or a similar system to provide information themselves of indecent photographs or films, other immoral visual reproductions etc. of persons under 18, punishable by fine or imprisonment up to one year.

*PCS. 3.* The provisions of paragraph. 2 does not include possession of obscene pictures of a person over the age of 15 years if the person has consented to possession.

**§ 235 a.** Any person who recruits or otherwise contributes to, or exploiting a person under 18 years of participating in a performance with lewd conduct, punishable by a fine or imprisonment not exceeding 2 years or under aggravating circumstances with imprisonment for up to six years . Particularly aggravating circumstances are especially instances where the child's life at risk, using serious violence, which caused the child serious harm, or where there is talk about performances of more systematic or organized nature.

*PCS. 2.* Any person who as a spectator attends a performance referred to in paragraph. One involving a person under 18, punishable by fine or imprisonment up to one year.

**§ 236.** When liable under §§ 216, 217, 218. 1, 222 or 223, paragraph. 2, or according to §§ 224, 225 or 226, see. One of the aforementioned provisions, or by § 232, can be in the judgment granted an injunction not to appear in public parks or facilities on the commons, near schools and playgrounds by bringing home at mental hospitals and institutions for persons with severe mental disabilities, in particular given forests and on certain specified baths and beach widths.

*PCS. 2.* There will, besides, the judgment could be people convicted in accordance with paragraphs. 1 These Articles or under §§ 228 and 229, instructed that they must not let children under 18 stay in their homes or without police permission even reside in individuals in whom staying children under that age. The order does not apply with regard to children, to which the sentenced dependents.

*PCS. 3.* When there is progress three years after the punishment protruding else, the convicted demand the repeal of a notice under paragraph. 1 or 2 submitted to the court. The request submitted to the prosecution, as soon as possible refer the matter to court. § 59 paragraph. 2, apply mutatis mutandis. The decision is made by order. Taking the application is dismissed, the offender does not submit a new application before have elapsed three years from the date of the decision. When special circumstances, the Minister of Justice allow the referral to the court is done before that deadline.

*PCS. 4.* Violation of the under paragraph. 1 and 2 announced orders is punishable by imprisonment for up to four months.

## 25. Chapter

### *Crimes against life and body*

**§ 237.** Any person who kills another shall be punished for manslaughter with imprisonment from five years up to life imprisonment.

**§ 238.** Killing a mother her child during or immediately after birth, and it must be assumed that she acted in distress for fear of dishonor or under the influence of the birth induced weakness, confusion or perplexity, she was punished with imprisonment for up to 4 year.

*PCS. 2.* Has the offense is not consummated, and the action is not applied to the child injury can punishment be dropped.

**§ 239.** Any person who kills another after its specific request, punishable by imprisonment of up to three years.

**§ 240.** Any person who helps someone robs itself of life, punishable by a fine or imprisonment up to three years.

**§ 241.** Any person who negligently causes the death of another shall be punished by fine or imprisonment for up to four months or in particularly aggravating circumstances with imprisonment up to 8 years. Is the relationship committed in connection with drink driving or particularly reckless driving, this is considered a particularly aggravating circumstance.

**§§ 242-243.** (Canceled)

**§ 244.** Any person who violates the or otherwise attacking someone else's body, punishable by fine or imprisonment up to three years.

**§ 245.** The exercising a person's life particularly raw, brutal or dangerous nature or guilty of maltreatment, punishable by imprisonment for up to six years. Has such a person's life had significant damage to body or health effect, this must be considered a particularly aggravating circumstance.

*PCS. 2.* Whoever outside in paragraph. 1 cases referred adds another person injury to body or health shall be punished by imprisonment for up to six years.

**§ 245 a.** Any person who at a person's life with or without the consent cuts off or otherwise removing the female genitalia whole or in part, be punished with imprisonment up to six years.

**§ 246.** Have a life which is covered by § 245 or § 245 a, been of such a serious nature or history of serious injury or death to the existence of extremely aggravating circumstances, the penalty may increase to imprisonment for 10 years.

**§ 247.** committed any of the offenses specified in §§ 244-246, by a person previously convicted of intentionally person's life or for a crime that has been linked to intentional violence, the penalty may be increased by up to half .

*PCS. 2.* The same applies when an offense specified in §§ 244-246 committed against a person who by the nature of his work are particularly vulnerable to violence.

**§ 248.** For a person's life during fights, or when the affected have practiced retaliate against the attacker, the penalty under special extenuating circumstances lapse.

**§ 249.** Any person who negligently adds no significant damage to body or health shall be punished by fine or imprisonment for up to four months or in particularly aggravating circumstances with imprisonment up to 8 years. Is the relationship committed in connection with drink driving or particularly reckless driving, this is considered a particularly aggravating circumstance.

**§ 250.** Whoever throws another in helpless condition or leaving an under the charge of standing person in such a state, punishable by imprisonment for up to eight years.

**§ 251.** A woman who by his birth on recklessly expose the child to serious danger, punishable by fine or imprisonment up to one year.

**§ 252.** With imprisonment up to eight years Any person who for profit, gross exuberance or similarly reckless manner causing immediate danger to someone's life or limb.

*PCS. 2.* The same penalty that the reckless manner causing danger to anyone infected with a fatal and incurable disease.

*PCS. 3.* The Minister of Justice shall, after consultation with the Minister of Health, the diseases covered by paragraph.

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**§ 253.** With a fine or imprisonment up to 2 years on that, although it was possible for him without any particular risk or sacrifice to themselves or others fail

- 1) for the ability to help someone who is in apparent danger, or
- 2) to take the measures, as the circumstances required for the rescue of someone apparently lifeless, or who are required to care for persons affected by shipwreck or other similar accident.

*PCS. 2.* With imprisonment up to two years imposed on anyone who violates paragraph. 1 in connection with the escape from an accident whereby no added significant injury.

**§ 254.** A fine or imprisonment up to three months imposed on anyone who intentionally or negligently leaves a child under 15 years old, insane, mentally retarded or drunk person dangerous weapons or explosives.

**§§ 255-259.** (Canceled)

## 26 Chapter

### *Crimes against personal freedom*

**§ 260.** With a fine or imprisonment up to 2 years for unlawful coercion that which

- 1) by violence or threat of violence, of major damage to goods, detention or to make false charges of criminal offense or ærerørigt relationship or reveal privacy related matters forcing someone to do, tolerate or refrain from doing something,
- 2) the threat to declare or reveal any criminal offense or to make true defamation forcing someone to do, tolerate or refrain, as far forward subjugation can not be considered of due justified by the fact that the threat concerned.

*PCS. 2.* Forcing someone to marry, the penalty may increase to imprisonment for up to four years.

**§ 261.** Any person who deprives another freedom, punishable by fine or imprisonment for up to four years.

*PCS. 2.* Failing it for profit, or the detention has been prolonged or passed in that someone wrongly held in custody as insane or mentally retarded or brought in foreign military service or in captivity or other addiction in the foreign country, the penalty is imprisonment up to 12 years.

*PCS. 3.* Any person who by gross negligence causes detention by paragraph. 2-mentioned type, punishable by fine or imprisonment up to 6 months.

**§ 262.** (Repealed)

**§ 262a.** For human trafficking punishable by imprisonment for up to eight years on, who recruits, transports, transfers, harbors or subsequently receives a person where there is or has been used

- 1) unlawful coercion by § 260,
- 2) Detention after § 261,
- 3) threats by § 266,
- 4) unlawful inducement, or use of an aberration or
- 5) any other undue method for the purpose of utilization of the product in sexual immorality forced labor, enslavement or practices similar circumstances or the removal of organs.

*PCS. 2.* The same penalty that for the purpose of utilization of the product in sexual immorality forced labor, enslavement or practices similar conditions or the removal of organs

- 1) recruiting, transporting, transferring, houses or subsequently receives a person under 18 years or
- 2) provide payment or other benefits to achieve the consent to the use of a person who has authority over the victim, and the person receiving such payment or other benefit.

## 27 Chapter

### *Peace and defamation*

**§ 263.** With a fine or imprisonment up to 6 months punished wrongly

- 1) break or evade any letter, telegram or other closed message or record or take note of the contents,
- 2) gain access to other people's stores,

3) using a device secretly intercept or record statements made in private, telephone or other conversation between others or negotiations in closed session, which he did not even participate in or to which he have illegally gained access.

*PCS. 2.* A fine or imprisonment up to one year and six months imposed on anyone who unlawfully obtains access to someone else's information or programs that are intended to be used in an information system.

*PCS. 3.* violations described in paragraph. 1 or 2, the relationship with intent to obtain or familiarize themselves with information about a company's trade secrets or under aggravating circumstances, the penalty may increase to imprisonment for up to six years. The same penalty specified in paragraph. 2 obtains, in the case of violations of more systematic or organized nature.

**§ 263 a.** A fine or imprisonment up to one year and six months imposed on anyone who unlawfully sells or in a wider circle propagate a code or other means of access to a non-public information to which access is protected by a code or other special access limitation.

*PCS. 2.* The same penalty that wrongly passes a large number of codes or other means of access referred to in paragraph. First

*PCS. 3.* The same penalty that improperly obtains or transmits a code or other means of access referred to in paragraph. 1 to

1) a community important information, see. § 193, or

2) an information system that treats sensitive information covered by § 7, paragraph. 1, or § 8 paragraph. 1 of the Act on processing of personal data on several personal circumstances.

*PCS. 4.* Failing to in paragraph. 1-3 above disclosure, etc. in particularly aggravating circumstances, the penalty is imprisonment for up to six years. In particular aggravating circumstances are especially instances where disclosure etc. occurs in a significant scale or involve special risk of significant damage.

**§ 264.** With a fine or imprisonment up to 6 months punished wrongly

1) gain access to foreign house or else not freely accessible place

2) fails to leave foreign soil after being requested to do so.

*PCS. 2.* committed in paragraph. 1 pt. 1, said ratio with intent to obtain or familiarize themselves with information about a company's trade secrets, or there is also particularly aggravating circumstances, the penalty may increase to imprisonment for up to six years. In particular aggravating factor considered in particular cases where bribery has taken place under such conditions as to cause other significant harm or pose a particular risk.

**§ 264 a.** The wrongly photographing people who are at a not freely accessible place, punishable by fine or imprisonment for up to six months. The same applies to the one with the aid of binoculars or other device unauthorized observer such persons.

**§ 264 b.** (Repealed)

**§ 264 c.** The in §§ 263, 264 and 264 a contained penalty provisions apply mutatis mutandis to the person without having contributed to the act obtains or unduly exploit information obtained by the infringement.

**§ 264 d.** With a fine or imprisonment up to 6 months punished wrongly conveys messages or images on someone else's private affairs or otherwise pictures of the circumstances which apparently may be required to be excluded from the public. The provision also applies where the message or picture relating to a deceased person.

**§ 265.** Whoever violates someone's peace in spite of prior police given warning to penetrate him, pursuing him with written inquiries or by other similar means molest him liable to a fine or imprisonment up to two years. One of the police informed the warning is valid for 5 years.

**§ 266.** Any person who in a way that is suitable for any of causing serious fear for their own or others' lives, health or welfare, threatening to make an offense punishable by fine or imprisonment up to two years.

**§ 266 a.** A fine or imprisonment up to one year imposed on anyone who, without the matter covered by §§ 136 and 266, makes public statements aiming to incite acts of violence or vandalism.

**§ 266 b.** Anyone who publicly or with the intention of dissemination to a wider circle makes statements or any other communication by which a group of people are threatened, insulted or degraded on account of race, color, national or ethnic origin, religion or sexual orientation, punishable by fine or imprisonment for up to two years.

*PCS. 2.* determination of the sentence must be regarded as a particularly aggravating circumstance that the relationship in the nature of propaganda activities.

**§ 266 c.** Any person who, after a case has found its decision with regard to this again makes the overruled allegations against the same person so frequently that their submission degenerating into persecution punished when the information is likely to injure that the public reputation of a fine or imprisonment up to 4 months.

**§ 267.** Whoever violates someone's honor by insulting words or actions or by making or spreading charges of a relationship that is suitable to reduce the offended fellow citizens in esteem, punishable by fine or imprisonment for up to four months.

**§ 267 a.** (Repealed)

**§ 268.** If a charge is made or used in bad faith, or have offender missed reasonable grounds to regard it as true, punished the perpetrator of defamation and in § 267 said punishment can then increase to imprisonment for two years.

**§ 269.** A charge is punishable when its truth is proved, as well as when the person who in good faith makes the charge, has been obliged to comment or have acted rightly taking of evident public interest or of its own or others' interests.

*PCS. 2.* Penalties can be waived if disclosed circumstances that gave adding to consider the charge of sand.

**§ 270.** Is sigtelsens submission of its form unsportsmanlike insulting penalty under § 267 used, although truth be evidence; the same applies if the perpetrator has had reasonable opportunity to make the insult.

*PCS. 2.* If the offended alone makes submissions on penalty under this clause, thus accorded evidence sigtelsens truth, not led, unless public interest essential justify it.

**§ 271.** Evidence thus accorded not led to a criminal offense for which the person who is screened by a final judgment in Denmark or abroad is acquitted.

*PCS. 2.* Truth Evidence of adjudicated criminal offense does not exempt from punishment when insulted view of the action, character, time when it was committed, and his relationship also had reasonably claim that the conditions do not now came to light.

**§ 272.** Penalty for § 267 may be dropped when the act is induced by improper conduct of the injured, or this has done retaliate against insulter.

**§ 273.** If a ærefornærmende charge unauthorized being there for the victim 'claim in the appeal late to record a note to that effect.

*PCS. 2.* The convicted for a ærefornærmende charge, can be to the victim's claim, order him to pay a court-determined sum to contest the costs of announcement in one or more gazettes either of judgment so alone or also of judgment reasons. This applies even if the judgment alone sounds of cancellation pursuant to the provision in paragraph. First

**§ 274.** Any person who shall make or disseminate ærefornærmende statements against a deceased, fined or, if defamation is, with imprisonment for up to four months.

*PCS. 2.* Ærefornærmende statements made against some 20 years after his death, can only be prosecuted when in § 268 that condition exists.

**§ 275.** The crimes in this chapter are subject to private prosecution. This does not apply to those specified in §§ 266, 266 a and 266 b.

*PCS. 2.* In the in §§ 263 to 265 cases referred to public prosecution happen when the victim requests it. The same is true when someone who works or at the time on which the speech is worked in public officials, accused of a relationship that might lead to or might have led manufacture is or assignment loss, and when a charge is made in the nameless or with false or fictitious name provided letter.

**§ 275 a.** (Canceled)

## 28 Chapter

### *Offenses against property*

**§ 276.** For theft is punishable by without possessing the consent takes away a stranger movable property to get or other unjustly enriched by its acquisition. With movable things equated here and hereinafter an amount of energy that is produced, stored or put into use to produce light, heat, power or movement or other economic purposes.

**§ 277.** For trafficking in lost property punished, as in order to obtain or other restitution acquire a foreign movable property that is not in anyone's custody or by the owner's oversight or similarly haphazard fashion has come in the offender's custody .

**§ 278.** The embezzlement is punishable, as in order to obtain or other restitution

- 1) acquire a foreign movable property which is in his custody without the matter falls under § 277,
- 2) are deducted from the receipt of money loans or other loans for ownership or a service for which is due remuneration
- 3) improper consumer entrusted to him the money, even though he was not obliged to keep them segregated from its own assets.

*PCS. 2.* The provisions of paragraph. 1 pt. 1, does not include transactions of purchased items for which a seller has reserved the property until the purchase price has been paid.

**§ 279.** For fraud punishable as, in order to obtain or other unlawful gain by unlawful to induce, reinforce or exploit an aberration provides another to any act or omission, thereby causing this, or someone for whom the act or failure will be crucial, a capital loss.



**§ 279 a.** For data fraud is punishable by in order to get or other unlawful gain illegally modify, add or delete information or programs for electronic data processing or otherwise unlawfully seeking to influence the outcome of such processing.

**§ 280.** For breach of trust punished so far the relationship does not fall under §§ 276-279 a, the one that in order to get or other restitution inflict another loss of wealth

- 1) by abuse of him created access to trading with effect for this or
- 2) by a fortune matter which it is his responsibility to carry on the other, to act against their best interests.

**§ 281.** For extortion punishable, insofar as the relationship does not fall under § 288,

- 1) the person who, in order to obtain or other unlawful gain, threaten someone with violence, significant damage to the goods or detention, to make false charges of criminal offense or ærerørigt conditions or obvious privacy related matters
- 2) that which threatens anyone to report or reveal any criminal offense or to make true defamation in order to obtain or others a turn that is not duly justified by the circumstances that gave rise to the threat submission.

**§ 282.** For usury imposed on anyone who exploits another person's financial or personal difficulties, lack of knowledge, carelessness or an existing dependency on into an arrangement to obtain or contract for a service which is substantially disproportionate to the consideration or not remunerable for.

**§ 283.** The debtor fraud punishable as in order to obtain or other restitution

- 1) dispose of, pledge or otherwise available to him related goods, where the third party has acquired a right with which the act is incompatible,
- 2) after his stay is the commencement of insolvency or composition negotiations without bankruptcy is opened, takes actions aimed at that succession property and claims not coming creditors for good,
- 3) by false pretenses, forstikkelse, pro forma legal transactions, significant gifts, excessive consumption, sales below cost, payment or collateral for due debt or other similarly evade his property or claims of earning its creditors or any one of these to fulfillment.

*PCS. 2.* If acts of the no. 3 indicated kind made to the favoring of a creditor, this only punish if he at one time, when he predicted that the debtor's bankruptcy or receivership was imminent, has given the debtor to give him such status.

**§ 284.** (Repealed)

**§ 285.** The in §§ 276 and 278-283 mentioned crimes punishable by imprisonment for up to 1 year and 6 months. In the in § 283 paragraph. 2 cases mentioned punishment both for the debtor as the favored creditor walk down to the fine.

*PCS. 2.* Illegal handling lost property punishable by fine or imprisonment up to one year and six months.

**§ 286.** The penalty may increase to imprisonment for up to six years, when in §§ 276, 281 and 282 mentioned crimes are aggravated in particular because of the embodiment, or because the crime is done by several jointly or the inclusion of weapons or otherwise dangerous tool or agent, or because of the stolen objects significant value or the conditions in which they found themselves, or when a large number of crimes have been committed.

*PCS. 2.* The penalty may increase to imprisonment for up to eight years, when in §§ 278-280 and 283 mentioned crimes are aggravated in particular because of the embodiment, or because the crime is done with accomplices, or because of the extent of the obtained target or throwing, or when a large number of crimes have been committed.

**§ 287.** Are any of the crimes mentioned in §§ 276 to 283, of less culpability because of the circumstances in which the offense was committed, the appropriated objects or suffered property loss negligible interest or for other reasons, the penalty fine . Under otherwise mitigating circumstances the penalty may be canceled.

*PCS. 2.* Attempt offense covered by paragraph. 1, are punishable.

**§ 288.** The robbery is punishable by imprisonment for up to six years on that in order to get or other unlawful gain by violence or threat of immediate use of violence

- 1) deprives or compels someone a foreign movable property,
- 2) brings a stolen things in security or
- 3) forcing someone to an act or omission that results in loss of wealth for the fallen or someone for whom this act.

*PCS. 2.* The penalty may increase to imprisonment for 10 years when a robbery is aggravated in particular because of its particularly dangerous nature, the embodiment or the extent of the achieved or intended gain, or when a large number of crimes committed.

**§ 289.** With imprisonment up to eight years to punishment, as in order to obtain or other restitution guilty of violation of a particularly serious nature of the tax, customs, fiscal or additional legislation or of § 289 a.

*PCS. 2.* The provisions of paragraph. 1 shall apply only if in the paragraph. 1 mentioned law is referred to this provision.

**§ 289 a.** A fine or imprisonment up to one year and six months imposed on anyone who to use for decisions about payment or refund of customs duties or taxes or payment or repayment of grants or support from the Danish authorities or the European Community institutions or other Community bodies provides false or misleading information or conceals information, including breaches a disclosure of importance to the decision with intent to evade or other payment or with intent to gain undue payment to themselves or others.

*PCS. 2.* The same penalty the unduly exploits a legally obtained benefit with regard to the payments referred to in paragraph. 1 and improperly uses payments referred to in paragraph. 1 for purposes other than those they were originally granted. This does not apply to benefits granted for private use.

*PCS. 3.* The provisions of paragraphs. 1 and 2 is applicable only where other legislation does not contain a corresponding adjustment.

*PCS. 4.* Violations of the paragraph. 1 or paragraph. 2 of particularly serious punishable by § 289th

**§ 290.** For receiving stolen goods is punishable by fine or imprisonment up to one year and six months it wrongly received and or other part of the dividends obtained by a criminal offense and the wrongly hiding, store, transport , assist in disposal or in a similar manner subsequently acts to secure a second yield of a criminal offense.

*PCS. 2.* The penalty may increase to imprisonment for six years, when the handling of stolen is aggravated in particular because of the crime business nature or as a result of the achieved or intended gain, or when a large number of crimes committed.

*PCS. 3.* penalty under this provision can not be imposed on the receiving dividends to the usual maintenance from family members or cohabiting, or the person receiving the yield which is usually a consideration for the usual consumer use items or services.

**§ 291.** Whoever destroys, damages or disposes of property belonging to another shall be punished by fine or imprisonment up to 1 year and 6 months.

*PCS. 2.* practiced that serious vandalism or of more systematic or organized nature or the offender previously convicted under this section or by § 180, § 181, § 183, paragraph. 1 and 2, § 184 paragraph. 1, § 193 or § 194, the penalty may increase to imprisonment for six years.

*PCS. 3.* are caused damage in accordance with paragraph. 2, the case of gross negligence, the penalty is a fine or imprisonment for up to six months.

**§ 292.** Whoever by destroying, damaging or dispose of his possessions elude them from earning its creditors or any one of these to the satisfaction punishable by fine or imprisonment up to one year.

**§ 293.** He who wrongly use a thing belonging to another shall be punished by fine or imprisonment up to one year, unless the situation is covered by § 293 a. Under aggravating circumstances, in particular where such goods are not brought back after use, the penalty may increase to imprisonment for two years.

*PCS. 2.* Any person who unlawfully obstruct another in whole or in part to have things be punished by fine or imprisonment up to one year. The penalty may increase to imprisonment for two years, where there are infringements of more systematic or organized nature, or in particularly aggravating circumstances.

**§ 293 a.** For use theft of motor vehicle punishable by fine or imprisonment for up to one year and six months that unauthorized use of a motor vehicle belonging to another. In particular aggravating circumstances, in particular in recidivism, the penalty may increase to imprisonment for four years.

**§ 294.** Any person who unlawfully takes itself to correct a fine.

**§ 295.** Whoever in inland waters or in territorial waters contrary to private individuals or public court is conducting containment or placing fixed devices, punishable by fine or imprisonment for up to three months.

**§ 296.** A fine or imprisonment up to one year and six months imposed on anyone who

- 1) disseminates false or misleading information, whereby the price of securities or similar assets could be materially affected,
- 2) provides false or misleading information on legal persons conditions
  - a) in public communications on economic conditions,
  - b) Regulatory accounting,
  - c) the reports, financial statements or representations to the General Assembly or similar body or the legal entity's management,
  - d) by notification to a registration authority or
  - e) in the tender documents for the legal person formation or capital increase and the sale of shares or the issue or sale of convertible bonds,
- 3) gross violation of a legal person by laws concerning
  - a) provisioning or
  - b) application of the legal person agents,
- 4) grossly fail to meet requirements of the legal personality applicable legislation
  - a) Transfer of negotiation protocols,
  - b) the updating of lists and information duties relating to the ownership interest or
  - c) act oriented identified by capital loss.

*PCS. 2.* committed an act or omission referred to in paragraph. 1 of gross negligence, the penalty is a fine or under aggravating circumstances, imprisonment for up to four months.

**§ 297.** A fine or imprisonment up to one year and six months imposed on anyone who disseminates false or misleading information by which the price of goods, real estate or similar assets could be materially affected.

*PCS. 2.* committed an act referred to in paragraph. 1 of gross negligence, the penalty is a fine or under aggravating circumstances, imprisonment for up to four months.

**§ 298.** A fine or imprisonment up to six months imposed on anyone who, without conditions to apply § 279 available

- 1) by false pretensions regarding the payment ability obtains or other loans or credit with the result that the economic loss thereby is applied,
- 2) The consumption of prepaid payment gets out of capable of providing the consideration,
- 3) away moves away without paying lodging, meals, transportation or other benefit at which it has been a perceptible provided that payment shall be made before away removal,
- 4) without payment of the prescribed fee tilsniger access to performance, exhibition or assembly or for journeys by public samfærdselsmiddel or to use other generally accessible decor.

**§ 299.** A fine or imprisonment up to one year and six months imposed on anyone who, without conditions to apply § 280 available

- 1) a capital issue which he is required to perform for another, in violation of his duty inflict this significant financial losses, not replaced before judgment at first instance,
- 2) the performance of one's assets for themselves or others on duty unlawful manner receives, demands or accepts the promise of a gift or other advantage as well as the one who gives, promises or offers such a gift or other advantage.

**§ 299 a.** With imprisonment up to six years imposed on anyone who in particularly aggravating circumstances be guilty of infringement of the Marketing Act § 19. As particularly aggravating circumstances are especially instances where the offense caused significant damage or induced obvious risk thereof.

**§ 299 b.** With imprisonment up to six years imposed on anyone who in order to get or other restitution or otherwise under special aggravating circumstances be guilty of

- 1) copyright violations particularly serious meaning. Copyright Act § 76 paragraph. 2, or illegal imports of particularly serious meaning. Copyright Act § 77 paragraph. 2
- 2) trademark violations particularly serious meaning. Trade Marks Act § 42 paragraph. 2
- 3) design infringement of particularly serious meaning. Design Act § 36 paragraph. 2
- 4) patent infringement particularly serious, see. Patents Act § 57 paragraph. 2
- 5) utility model infringement of particularly serious meaning. Utility Models Act § 54 paragraph. 2, or
- 6) violation of a particularly serious nature of § 91, see. § 94 paragraph. 2, of the Act on the airwaves.

**§ 300.** A fine or imprisonment up to one year punished

- 1) it as a time when he realizes or should realize that he is unable to reimburse its creditors significantly exacerbates its capital position by the formation of new debt or pay or provide security for considerable due debts
- 2) the one that is causing its creditors significant loss of wasteful way of life, by games, by daring undertakings not proportionate to his fortune, by greatly disorderly conduct of business or other moral,
- 3) the debtor and union representative, by submitting the opening of negotiations for a compulsory arrangement with its corresponding statements provides false information or is guilty of gross negligence.

**§ 300 a.** A fine or imprisonment up to six months imposed on anyone who, without conditions to apply § 279 exists in an unlawful manner intentionally or recklessly causes a person who is in a delusion, for this reason determined for any act or omission, and thereby causes him or anyone for whom the act or omission is crucial substantial capital loss.

**§ 300 b.** A fine or imprisonment up to six months imposed on anyone who, without conditions to apply § 282 exists at the conclusion of an agreement unduly take advantage of the counterparty financial difficulty or otherwise of his inferior position.

**§ 300 c.** A fine or imprisonment up to six months imposed on anyone who entrusts a claims arising from someone else's action provided for in § 282, § 300 a or § 300 b mentioned nature or which make such a claim if he at the acquisition of the requirement exhibited gross negligence in terms of its nature. At the same penalty, which, moreover, gross negligence taking unfair advantage of someone else's action by the at § 282 § § 300 a or 300 b mentioned characteristics.

**§ 301.** A fine or imprisonment up to one year and six months imposed on anyone who intentionally to unauthorized use produces, procures, possesses or conveys

- 1) information that identifies a payment that is assigned to others, or
- 2) generated debit card numbers.

*PCS. 2.* Failing to in paragraph. 1 above disclosure, etc. in a circle or in otherwise especially aggravating circumstances, the penalty is imprisonment for up to six years.

*PCS. 3.* The provisions of paragraph. 1 shall not apply to genuine cards.

**§ 301a.** A fine or imprisonment up to one year and six months imposed on anyone who unlawfully obtains or pass codes or other means of access to information, access to which is reserved for paying users and are protected by code or other special access limitation.

*PCS. 2.* Failing to in paragraph. 1 above disclosure, etc. in particularly aggravating circumstances, the penalty is imprisonment for up to six years. In particular aggravating circumstances are especially instances where disclosure etc. is done professionally, in a circle or in circumstances where there is particular risk of abuse.

**§ 302.** A fine or imprisonment up to one year and six months penalized to the extent the relationship does not fall under § 296, the one that particularly serious breach of statutory requirements

- 1) accounting, including recording transactions and preparation of accounting records,
- 2) keeping of accounting records, including descriptions of accounting and systems for storage and retrieval presence of material, including passwords, etc. and encryption keys,
- 3) public authorities access to accounting records in accordance with the these authorities particularly applicable law and
- 4) to annual or corresponding accounts.

*PCS. 2.* committed an act or omission referred to in paragraph. 1 of gross negligence, the penalty is a fine or imprisonment for up to four months.

**§ 303.** Those who are guilty of gross negligence by tilforhandle themselves or by other similar means receiving things that are acquired through an enrichment offense punishable by fine or imprisonment up to six months.

**§ 304.** A fine or imprisonment for up to 4 months to punishment, as in cases where a decision on a property matter are taken by vote, obtains or other access to illegally participate in this or to cast more votes than his due, or causes the poll distorted.

*PCS. 2.* On the same penalty as voting in a bankruptcy or disclaim liability or composition negotiations without bankruptcy by false pretenses affect stemmegivningen or gives, promises or offers, receives, demands or accepts the promise of wealth in favor of voting for a certain direction or to abstain.

**§ 304 a.** The wrongly gives, promises or offers someone who in this country or abroad acts as an arbitrator, a gift or other advantage to induce that person to do or refrain from acting in this office, punishable by fine or imprisonment for up to 1 year and 6 months.

*PCS. 2.* The same penalty that in this country or abroad acts as an arbitrator and the exercise of this office unjustified receive demands or accepts the promise of a gift or other advantage.

**§ 305.** The in § 291 paragraph. 1 and 3, § 293, paragraph. 2, § 298 and § 299 offenses referred prosecuted only by the injured party, unless the public interest requires prosecution.

*PCS. 2.* The in § 294 offenses referred to are subject to private prosecution.

## 29 Chapter

### *Special provisions for legal persons*

**§ 306.** There can be imposed on companies etc. (legal persons) under the rules of Chapter 5 of the violation of this law.

Act no. 438 of 31 May 2000 (Time Limit of measures under the Criminal Code §§ 68 and 69) <sup>11</sup> contains the following provision:

### **§ 2**

*PCS. 1.* This Act shall enter into force on 1 July 2000.

*PCS. 2.* Penal Code § 68 a and § 69a as amended by this Act § 1, Nos. 1 and 3, shall apply to actions of the Penal Code §§ 68 and 69, imposed under the Act. The same applies to measures by the Act shall be determined by the Penal Code § 72, cf.. §§ 68 and 69, resulting in a tightening of the measure.

Act no. 441 of 31 May 2000 (limitation, reinforced action against sexual abuse of children and young persons and IT investigations) <sup>21</sup> contains the following provision:

### **§ 3**

*PCS. 1.* This Act shall enter into force on 1 July 2000.

*PCS. 2.* The in § 1 above provisions of the Penal Code § 94 paragraph. 4 and § 97 paragraph. 4 and 6, also applies to offenses committed and the legal consequences imposed before the commencement of the Act. The provisions shall not apply in cases where the limitation under the previous rules occurred before the Act.

Act no. 433 of 31 May 2000 (Changes due to the Sentence Enforcement Act, abolishing booklet sentence and probation of life sentenced, etc.) <sup>21</sup> contains the following provisions:

### **§ 30**

This Act shall come into force on 1 July 2001.

### **§ 31**

*PCS. 1.* If after the Act shall be sentenced for a previously committed violation of the §§ 1-29 above laws for which staple up to 30 days would be incurred, sentenced to imprisonment with the same number of days as a booklet.

*PCS. 2.* Would a higher penalty staple than as specified in paragraph. 1 be prescribed, a lower sentence of imprisonment imposed, but not less than 30 days or more than 4 months.

### **§ 32**

*PCS. 1.* After commencement of the Act can not be sentenced to imprisonment, although the penal provisions in other legislation still allows.

*PCS. 2.* For the purposes of criminal laws outside in the said laws §§ 1-29, wherein the stapler is included in the maximum penalty, may be provided instead of the staple imposed imprisonment for up to 4 months.

*PCS. 3.* § 31 shall apply accordingly.

### **§ 33**

*PCS. 1.* In determining the alternative sentence for the offense relating to an offense committed before the commencement of the Act, see § 31 shall apply accordingly.

*PCS. 2.* The law has no effect on imprisonment or alternative sentence of booklet, sentenced or fixed before the commencement of the Act.

Act no. 258 of 8 May 2002 (Implementation of EU Assistance Convention, the second Additional Protocol to the European Mutual Assistance Convention and the EU Framework Decision on joint investigation teams)<sup>4)</sup> contains the following provisions on criminal liability and entry into force:

### **§ 3**

*PCS. 1.* The provisions of the Penal Code Chapter 14 on offenses against public authority, etc. and chapter 16 on crimes of public officials etc. shall also apply when the relationship was committed against or by officers from another state during task in Denmark under Article 12 and 13 of the Convention of 29 May 2000 on mutual assistance in criminal Matters between the EU Member States as well as the corresponding provisions of other Union acts or under Articles 18 and 20 of the second Additional Protocol of 8 november 2001 to the European Convention of 20 april 1959 on mutual assistance in criminal matters.

*PCS. 2.* OR INJURY CAUSED an official of a Member State other damage during task in Denmark under Article 12 and 13 of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the EU Member States as well as the corresponding provisions of other Union acts or under Article 18 and 20 of the second Additional Protocol of 8 november 2001 to the European Convention of 20 april 1959 on mutual assistance in criminal matters, which according to Danish law, the liability, compensation is paid by the attorney.

### **§ 6**

This Act shall come into force on 1 July 2002.

Act no. 364 of 24 May 2005 (limitation, increase in the penalty for false prisoners, etc.)<sup>5)</sup> contains the following provision:

### **§ 2**

*PCS. 1.* This Act shall enter into force on 1 July 2005.

*PCS. 2.* § 1, no. 6, however, shall enter into force the day after publication in the Official Gazette.<sup>6)</sup>

Act no. 1404 of 27 December 2008 (Strengthened efforts against piracy, etc.)<sup>7)</sup> contains the following provision:

### **§ 9**

*PCS. 1.* This Act shall enter into force on 1 January 2009.

*PCS. 2-4.* (Optional)

Act no. 319 of 28 April 2009 (Implementation of the European Convention for the Protection of Children against Sexual Exploitation and Sexual Abuse, etc.)<sup>8)</sup> contains the following provision:

### **§ 3**

This Act shall come into force on 1 July 2009.

Act no. 501 of 12 June 2009 (Strengthened efforts against gang crime, etc.)<sup>9)</sup> includes the following provision:

## § 7

*PCS. 1.* This Act shall enter into force on 15 June 2009.

*PCS. 2.* § 10, no. 2, § 12 paragraph. 1 and § 78 a paragraph. 3 of the Execution of Sentences etc., as amended in § 5, Nos. 1-3, applies to persons sentenced to imprisonment since 15 June 2009.

*PCS. 3.* Administration § 9 paragraph. 4, no. 5, as worded by § 6, no. 3, applies to documents created after its commencement.

*Ministry of Justice, October 29, 2009*

Brian Mikkelsen

/ Jens Røn

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#### official notes

<sup>11</sup> The amendment pertains to § 68a, § 69, § 69a, § 72 paragraph. 1-2, § 73 paragraph. 1, point 1., And § 97 paragraph. 2, no. 2.

<sup>12</sup> The amendment pertains to § 93 paragraph. 3, first paragraph., § 94 paragraph. 4, § 97 paragraph. 4, § 97 paragraph. 6, sentence 2., § 230 and § 235.

<sup>13</sup> The amendment pertains § 7, § 8, § 21 § 23 § 31 § 32 § 33 § 34 § 35 § 36 § 39 § 40 a, § 41 § 42 § 43, § 44 § 45 § 46 § 47 § 48 § 49 § 50 § 51 § 52 § 53 § 54 § 55 § 57 § 58 § 59 § 60 § 61, § 61a, § 62 § 63 § 64 § 65 § 66 § 72 § 74 § 78 § 83 § 86 § 87 § 88 § 89 § 90 § 91, § 97 § 100 § 103 § 104 § 109 § 110 § 110a, § 110 c, § 110 e, § 114 § 117 § 119 § 121 § 122 § 123 § 124, § 125 § 126 § 127 § 128 § 129 § 129a, § 130 § 131 § 132 a, § 133 § 134 § 134 a, § 135 § 136 § 137 § 138, § 139 § 140 § 141 § 142 § 143 § 144 § 147 § 148 § 149 § 150 § 152 § 153 § 155 § 156 § 158 § 160 §

161, § 162 § 163 § 164 § 165 § 167 § 168 § 170 § 172 § 174 § 175 § 176 § 178 § 179 § 182 § 183 § 184 § 185 § 186 § 187 § 188 § 189 § 192 § 193 § 194 § 195 § 197 § 202 § 203 § 204 § 206, § 208, § 213, § 214, § 223a, § 229, § 232, § 233, § 235, § 236, § 239, § 240, § 241, § 244, § 249, § 251, § 252, § 253 § 254 § 255 § 260 § 261 § 262 § 263 § 264 § 264 a, § 264 d, § 265 § 266 § 266 a, § 266 b § 266 c, § 267 § 268 § 274 § 285 § 291 § 292 § 293 § 295 § 296 § 298 § 299 § 300 § 300 a, § 300 b, § 300 c, 302, § 303 and § 304th

4) The amendment pertains to § 158 paragraph. 1, point 1.

5) The amendment pertains to § 93, § 93a, § 94, § 97 a and § 164th

6) The law is promulgated in the Official Gazette May 25, 2005.

7) The amendment pertains to § 299 b.

8) The amendment pertains to § 94 paragraph. 4, § 235, paragraph. 2 and § 235 a.

9) The amendment pertains to § 57, no. 9, § 81a, § 114 paragraph. 1, no. 6, § 114a, no. 1, 4, 5 and 6, § 119, paragraph. 3, and § 192 a.