

# Police Act

1996 No. 90 13 June

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*Ferill málsins á Alþingi. Frumvarp til laga.*

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

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

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

### ■ Article 1 Role.

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

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

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

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

■ **Article 3** *Police officers.*

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

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

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

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

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

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

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

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

- a. to convey and make known to police commissioners commands and decisions by the supreme executors of state power concerning the functioning of the police by various means, and to take measures to have these decisions implemented in the work of the police and monitor to ensure that this is done;
- b. to provide [the minister] <sup>1)</sup> with information on all aspects of police affairs which he or she can use to prepare and base decisions on;
- c. to submit proposals to [the minister] <sup>1)</sup> concerning general instructions to police commissioners;
- d. to work on, and submit, proposals concerning rationalisation, co-ordination, development and security in the functioning of the police;
- e. to handle international contact in the sphere of law enforcement;
- f. to give police commissioners assistance and support in their police work;
- g. to attend to tasks which, by their nature or due to circumstances, call for centralisation or national co-ordination, or collaboration with the police in another country;
- h. to exercise overall control of, or give instructions regarding the execution of, individual law-enforcement operations that require extensive preparation or the participation of police officers from more than one administrative area. The National Commissioner shall, after obtaining the approval of [the minister], <sup>1)</sup> announce his decision to the police commissioner or commissioners involved regarding the direction of each law-enforcement operation with suitable notice;
- i. to maintain a case register covering complaints received by the police about offences, with all the necessary details relating to the cases, a police diary with information about communications sent to the police and how they are dealt with, a register of arrested persons and other registers necessary in the interests of law enforcement in order to avert imminent danger or to counter crime. [The minister] <sup>1)</sup> shall issue more detailed rules <sup>2)</sup> regarding these

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. The Metropolitan Commissioner of Police.

2. The Western Iceland Commissioner of Police.

3. The West Fjords Commissioner of Police.

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

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

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

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

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

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

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

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

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

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

#### ■ Article 8 [Police investigations.

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

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

commerce. The director may also undertake the investigation of offences that are related to the offences listed above. The Director of Public Prosecutions may entrust the National Prosecuting Authority with the investigation of other offences.

3. The National Prosecuting Authority shall handle receipt of notifications under the Act on Measures against Money Laundering and Terrorist Financing . The National Prosecuting Authority shall also see to the examination of these notifications and to passing on information gained in this manner to other government authorities to the extent necessary.

4. The Director of the National Prosecuting Authority shall work towards the recovery and confiscation of illicit gains acquired through any type of criminal activity in connection with police investigations made within the authority and other police commissioners' authorities.] <sup>2)</sup>

5. ... <sup>3)</sup>

6. A Forensic Crime Scene Unit shall be operated at the office of the Reykjavík Commissioner of Police which shall attend to site investigations, comparative studies and other similar investigative work and shall house and maintain the police fingerprint and photographic archives. The Forensic Crime Scene Unit shall serve all the local forces in the police administrative areas throughout Iceland; the National Commissioner of Police shall set further rules on its operations.] <sup>4)</sup>

[7. Police commissioners and other persons exercising police authority may not investigate offences if they lack the competence to do so according to the Administrative Procedure Act (*cf.*, however, paragraph 5 of Article 5). Employees of a police commissioner who lacks competence may, however, investigate matters under the direction of another police commissioner unless they themselves lack competence to handle the case according to the Administrative Procedure Act.] <sup>5)</sup>

[8. The Director of Public Prosecutions shall rule on the purview of the National Prosecuting Authority vis-à-vis police commissioners, and between individual police commissioners, regarding the investigation of offences if doubt arises on this point.] <sup>2)</sup>

<sup>1)</sup>Rg. 804/2007. Rg. 192/2008. <sup>2)</sup>L. 47/2015, 25. gr. <sup>3)</sup>L. 51/2014, 4. gr. <sup>4)</sup>L. 46/2006, 3. gr. <sup>5)</sup>L. 88/2008, 234. gr.

## ■ Article 9 *Executors of police authority.*

[1. The National Commissioner of Police, the Deputy National Commissioner, the Director of the National Prosecuting Authority, the Deputy Director of the National Prosecuting Authority, commissioners of police, deputy commissioners of police in the Metropolitan Area and in Suðurnes, ... <sup>1)</sup> legally-qualified deputies of the police commissioners and police officers shall exercise police authority.] <sup>2)</sup>

2. [The minister] <sup>3)</sup> may, in exceptional cases, entrust other police employees with police authority on a temporary basis in order to attend to special tasks.

3. [Crews of Coastguard vessels and Coastguard aircraft] <sup>4)</sup> shall exercise police authority when they execute, or assist with, law enforcement.

4. [[The Director of Customs, his or her legally qualified deputies] <sup>5)</sup> and customs officers shall exercise police authority in their working areas and when they execute, or assist with, law enforcement.] <sup>6)</sup>

5. Local council chairmen shall exercise police authority under the Parish Chairmen Act.

6. District policemen shall exercise police powers when they are engaged in their work.

7. Those who are summoned to assist the police according to law shall exercise police

authority while they are engaged in that work.

8. Students pursuing [Police Science] <sup>1)</sup> exercise police authority while engaged in police functions.

[9. Expert employees of the National Prosecuting Authority and of commissioners of police may, in accordance with further decisions by the National Prosecuting Authority or the commissioners of police, handle the taking of statements from suspects and witnesses during the investigation of cases.] <sup>2)</sup>

<sup>1)</sup>L. 61/2016, 2. gr. <sup>2)</sup>L. 47/2015, 26. gr. <sup>3)</sup>L. 162/2010, 141. gr. <sup>4)</sup>L. 29/1998, 3. gr. <sup>5)</sup>L. 147/2008, 44. gr. <sup>6)</sup>L. 155/2000, 24. gr.

#### **■ Article 10** *District police officers.*

1. After receiving the approval of the National Commissioner of Police, police commissioners may engage district police officers to work in their administrative areas providing they meet the conditions of [indents a, b, c, d and e of paragraph 1 of Article 38].<sup>1)</sup>

2. The role of district police officers shall be to engage in general law-enforcement work when this is necessary, including upholding law and order, under the direction of police officers, at public meetings and entertainments.

3. [The minister] <sup>2)</sup> shall set rules <sup>3)</sup> on the number of district police officers and their work.

4. District police officers men shall enjoy the same rights, and bear the same obligations, as police officers while they are engaged in police work.

<sup>1)</sup>L. 61/2016, 3. gr. <sup>2)</sup>L. 162/2010, 141. gr. <sup>3)</sup>Rg. 283/1997, cf. 961/2008 and 1037/2008.

#### **■ Article 11** *Collaboration between the police and other authorities and institutions.*

1. The police shall assist the prosecuting authority in its work.

2. The police and other authorities and institutions shall co-operate mutually on projects with a bearing on law enforcement, such as preventive measures. In particular, the police shall work with the social welfare, health and educational authorities on preventive measures, as the need arises and as circumstances permit, and inform these parties of matters that require action on their part.

#### **■ Article 12** *Co-operative committees of the police and the local authorities.*

1. [In each police administrative area there shall be one or more co-operative committees concerned with police affairs. These shall consist of the commissioner of police in the area, who shall be the committee chairman, and the chairmen of the local authorities (municipal councils) in the police administration area or area in which the committee operates. Meetings shall be held at least twice a year.] <sup>1)</sup>

2. The committee shall be the forum for contact and collaboration between the police and the local authorities in the administrative area. Its functions shall include making proposals on improvements in matters regarding law enforcement in the area, and it shall use its influence to make the general public aware of the work of the police.

<sup>1)</sup>L. 51/2014, 6. gr.

### **Chapter III. Duties of Police Officers and the Execution of Police Functions.**

#### **■ Article 13** *General rules.*

1. Persons who exercise police authority shall demonstrate alertness in their work and have a clear understanding of their duties and the responsibility involved in their work.

2. Persons who exercise police authority shall perform their work diligently and

conscientiously, at all times observing complete impartiality and fairness. They shall make efforts to ensure that people are not caused greater damage, injury, inconvenience or loss of amenity than is unavoidable under the circumstances. They may not employ a greater degree of duress against a suspect than is permitted in law and is necessary to overcome his or her resistance to lawful measures, nor apply unlawful coercion of any other type against him or her in word or deed, for example by the use of threats.

3. [When carrying out their tasks, those who exercise police authority shall carry special identification documents. The minister shall issue regulations <sup>1)</sup> setting out the appearance, content and use of police identification documents.] <sup>2)</sup>

<sup>1)</sup>Rg. 1052/2006. <sup>2)</sup>L. 29/1998, 4. gr.

■ **Article 14** *Use of force.*

Those who exercise police authority may use force in the course of executing their duties. At no time, however, may they use force to a greater extent than is necessary on each given occasion.

■ **Article 15** *Measures taken in the interests of public peace and quiet, public order, etc.*

1. The police may intervene in the conduct of citizens in order to maintain public peace and quiet and public order or to prevent an imminent disturbance in order to protect the safety of individuals or the public or to avert or stop criminal offences.

2. For this purpose, the police may, amongst other things, assume the control of traffic, prohibit persons from remaining in particular areas (e.g. by cordoning the areas off or restricting movement through them), take dangerous items into their keeping, order people to move away, or remove them, order an end or a change to actions or an activity, enter privately owned areas and order the removal of persons from such areas.

3. [If it seems likely that disorder will break out at a protest meeting, procession or other such gathering in a public place, the police may prohibit people from changing the appearance of their faces, or covering their faces or part of them with masks, hoods, paint or other means intended to prevent them from being recognised.] <sup>1)</sup>

4. If someone disobeys police instructions [under paragraphs 2 and 3]<sup>1)</sup> the police may take the measures necessary at that person's expense to prevent the person's disobedience from causing damage or causing a hazard to the public.

5. The police may demand any person to give his or her name, ID number and address, and to present an identification document to substantiate the information given.

6. The police may concern themselves with matters which by law come under other authorities if this is considered necessary to stop, or prevent, a serious disturbance of public peace and quiet and public order and it is not possible to contact the relevant authority or it is impossible for that authority to take measures, or if such measures are ineffective or it is foreseeable that they would be initiated too late. The appropriate authority shall be informed of the police actions as soon as possible.

<sup>1)</sup>L. 56/2002, 2. gr.

■ **Article 16** *Authority to make arrests.*

1. A person exercising police authority may arrest a person and take him or her to a police station or other place where the police have facilities:

a. for the purpose of maintaining law and order, e.g. if the person loses control of himself or herself in public or causes an outrage in a public place, or danger of a public disturbance,

- b. if the person does not hold a permit to be in the country,
- [c. if the person is to serve a sentence,
- d. if the person has left prison without permission,
- e. if there is reason to suspect that the person has substantially violated the conditions he or she was bound over to keep under a suspended sentence, probationary release or pardon.]<sup>1)</sup>

2. The police shall explain to the person the reason why he or she is being taken to the police facility. No person may be held for longer than is necessary.

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

■ **Article 17** *Searches.*

1. The police may, if necessary, search any person who is removed or arrested by the police, for weapons or other dangerous objects.

2. If a person is placed in a prison cell, the police may search him or her and take into their keeping items which the person is carrying and could use to inflict injuries on himself or herself or others. If it is considered that the person's condition, or other circumstances, give reason, then money and other items which the person is carrying and which are thought to be in danger of being damaged, destroyed or lost, may be taken from him or her.

3. Valuables which the police take into their keeping under paragraphs 2 and 3 must be returned when the person is released, providing that the conditions for their confiscation under the Code of [Criminal Procedure]<sup>1)</sup> do not apply.

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

■ **Article 18** *Obligation to take charge of children.*

The police shall be obliged to take charge of children under the age of 16 who are found in places where their health or welfare are in serious danger and place them under the control of their guardians or the child welfare authorities if this is considered necessary.

■ **Article 19** *Obligation to obey police orders.*

The public shall be obliged to obey orders given by the police, e.g. in connection with traffic control or in order to maintain law and order in public places.

■ **Article 20** *Obligation to assist the police.*

1. If necessity so demands, the police may summon any adult person to assist them for purposes including the prevention of disorder or disturbance in public places. Persons shall be obliged to obey a summons by the police if they are able to render assistance without jeopardising their own life, health, welfare or substantial interests, or those of their closest relatives.

2. Those who are summoned by the police to give assistance under paragraph 1 shall exercise police authority while they are engaged in this work, and shall enjoy the same protection as other police officers.

■ **Article 21** *Prohibition against obstructing the police.*

No person may in any way obstruct a person from executing police work.

■ **Article 22** *Confidentiality.*

1. Police officers and other police workers shall be subject to a confidentiality obligation regarding matters of which they become aware in or through their work and which should remain secret in terms of lawful public or private interests. This shall apply to information on persons' private circumstances which it is natural to keep secret, information regarding police working methods and planned police measures and other information which should be kept

secret according to law, police working rules or the nature of the case.

2. The confidentiality obligation shall remain in force even after the individual's employment ends.

[3. The provisions of paragraph 1 shall not prevent the police from giving the Directorate of Customs access to their case records and other information held by the police relating to alleged violations of the Customs Act, the Addictive Drugs Act or other acts of law which the Directorate of Customs is required to apply, providing that the information is necessary for the purpose of investigations by the Directorate of Customs.]<sup>1)</sup>

<sup>1)</sup>L. 147/2008, 45. gr.

■ **Article 23** *Involvement by personnel in cases concerning themselves or their close relatives.*

No police employee may take action in a case concerning himself or his close relatives unless his intervention in the case is necessary in order to protect persons' lives, health or property against an imminent danger, or there is a danger that the postponement of an action would result in its aim not being achieved.

■ **Article 24** *Intervention in industrial disputes.*

The police may not intervene in industrial disputes in any way other than to maintain peace and avert damage, injury and problems, in this context as elsewhere.

■ **Article 25** *Police work outside working hours.*

1. A police officer may engage in police work in his or her free time if:

- a. it is necessary in order to protect people's lives or health, or substantial public interests;
- b. it is necessary to avert or stop serious offences, or
- c. it is necessary in order to arrest a person who is suspected of a serious criminal act.

2. In cases where a police officer has become involved in a case under paragraph 1, the officer shall without delay inform his or her superior of this. If the officer has engaged in such work outside his or her working area, he or she shall inform the police commissioner in that administrative area.

■ **Article 26** *Authority to entrust customs work to the police.*

[The minister]<sup>1)</sup> may, by agreement with the [minister responsible for state revenues]<sup>2)</sup> determine that police officers shall carry out customs work, together with other law-enforcement work, according to further instructions by a police commissioner and in conformity with rules set in consultation with [the Directorate of Customs].<sup>3)</sup> Where such an arrangement has been decided, it shall be mentioned in the advertisement covering the police officer's job.

<sup>1)</sup>L. 162/2010, 141. gr. <sup>2)</sup>L. 126/2011, 225. gr. <sup>3)</sup>L. 147/2008, 46. gr.

#### **Chapter IV. [Appointments to Positions in the Police; End of Employment.]<sup>1)</sup>**

<sup>1)</sup>L. 56/2002, 4. gr.

■ **Article 27** *Number of police officers.*

1. At any given time, the minister shall decide the number of policemen in each administrative area in consultation with the National Commissioner of Police, after proposals have been received from the police commissioners concerned.

[2. At any given time, the minister shall decide the number of police officers at the National Prosecuting Authority in consultation with the National Commissioner of Police, after

receiving proposals from the Director of the National Prosecuting Authority.]<sup>1)</sup>

<sup>1)</sup>L. 47/2015, 27. gr.

■ **Article 28** [Appointments to positions in the police..

□ 1. [The minister shall appoint the National Commissioner of Police and other police commissioners for five years at a time. The minister may appoint a Deputy National Commissioner (*cf.* paragraph 4 of Article 5) and deputy commissioners of police in the Metropolitan Area and Suðurnes for five years at a time (*cf.* paragraph 5 of Article 6).

□ 2. In addition to meeting the ordinary requirements for appointments to official public positions, the National Commissioner of Police, the Deputy National Commissioner, police commissioners [and]<sup>1)</sup> deputy police commissioners who stand in for police commissioners ...<sup>1)</sup> shall meet the following conditions:

- a. they shall have reached the age of 30,
- b. they shall hold Icelandic citizenship,
- c. they shall be in mental and physical condition to serve in their positions,
- d. they shall be legally competent and may not at any time have lost legal control of their financial affairs,
- e. they may not have been convicted of a criminal conduct that can be regarded as disgraceful in the eyes of the ordinary public or have displayed conduct that may diminish the trust that police commissioners are generally required to enjoy, and
- f. they shall have completed final qualifications in Law by taking the qualifying examination, or master's degree, or a university degree in the subject which is considered to be of equal value.

□ 3. If there is more than one deputy commissioner in a police commissioner's office, the one of them shall deputise (stand in) for the commissioner. The deputy commissioners who do not stand in for the commissioner shall meet the requirements of indents a-e of paragraph 2 for appointment to their positions, in addition to the following conditions regarding educational qualifications and working experience:

- a. they shall have completed final qualifications in Law by taking the qualifying examination, or master's degree, or a university degree in the subject which is considered to be of equal value, or completed studies in the Police College [or earned a diploma in Police Science which is considered the equivalent of at least 120 ECTS units, *cf.* the Higher Education Act, No. 63/2006, including practical training within the police],<sup>1)</sup> in addition to studies in management and administration or other comparable studies,
- b. they shall have been engaged in legal work as their main occupation for three years or have served in a managerial position within the police; working experience in these occupations may be added together.

□ 4. Police commissioners shall appoint chief superintendents and superintendents for terms of five years at a time, and other police officers, to work within their units, also for five years at a time, after receiving the report of the competence assessment committee (*cf.* indent f of paragraph 2 of Article 5). All those who are appointed as police officers shall have graduated from the Police College [or earned a diploma in Police Science which is considered the equivalent of at least 120 ECTS units, including practical training within the police].<sup>1)</sup> In order to verify whether an applicant meets the requirements of indent e of paragraph 2, the police may obtain information from the penal register and from police case records. The minister

shall issue further instructions regarding ranks within the police in a regulation.<sup>2)</sup> Further provisions shall be made in a regulation<sup>3)</sup> regarding the obtaining of information from police case records, including the scope of such gathering of information, informative guidelines to be given to applicants and staff before information is extracted from the records and their right of objection.]

5. The National Commissioner may authorise police commissioners to engage persons on a temporary basis for police work due to vacation-taking, absence due to illness or accidents or temporary leave granted to police officers even though they have not [graduated from the Police College, or taken a diploma in Police Science which is considered the equivalent of at least 120 ECTS units, including practical training within the police], providing that they meet the requirements of indents a, b, c, d and e of paragraph 1 of Article 38 and no one is available to fill the position who has graduated from the Police College or earned a diploma in Police Science which is considered the equivalent of at least 120 ECTS units, including practical training within the police.]<sup>1)</sup> <sup>4)</sup>

<sup>1)</sup>L. 61/2016, 4. gr. <sup>2)</sup>Rg. 1051/2006, sbr. 1043/2013. <sup>3)</sup>L. 51/2014, 7. gr. <sup>4)</sup>L. 46/2006, 5. gr.

■ **[Article 28 a Authorisation to obtain information from the penal register and from police case records.**

No one may be appointed, temporarily or permanently, or employed to work for the police who has been convicted of criminal conduct that can be regarded as disgraceful in the eyes of the ordinary public or has displayed conduct that may diminish the trust that police commissioners are generally required to enjoy. In order to verify this, the police may obtain information from the penal register and from police case records.]<sup>1)</sup>

<sup>1)</sup>L. 51/2014, 8. gr.

■ **Article 29 Oath.**

All police officers who are appointed or engaged to work shall swear the following oath: “I swear by my honour to carry out my police officer’s work diligently and conscientiously in all respects and to work according to the best of my ability to uphold the Constitution and other laws of the Republic of Iceland.”

■ **[Article 29 a Retirement age.**

Police officers shall be retired from their positions when they reach the age of 65 years, or earlier, in accordance with what [the minister]<sup>1)</sup> determines in a regulation.]<sup>2)</sup>

<sup>1)</sup>L. 162/2010, 141. gr. <sup>2)</sup>L. 56/2002, 3. gr.

## **Chapter V Matters Concerning Police Officers’ Terms of Employment.**

■ **Article 30 Compensation.**

The State Treasury shall compensate police officers for bodily injury and damage to objects which they suffer in connection with their work. Compensation shall be paid for the loss of a breadwinner where such occurs.

■ **Article 31 Prohibition on strikes**

Police officers may neither go on strike nor take part in the calling of a strike.

■ **Article 32 Additional jobs.**

1. A police officer may be commissioned to perform additional jobs, in exchange for fair remuneration, in the service of the state, providing that this does not entail the neglect of the duties involved in his or her position.

- 2. Before intending to accept paid employment in the service of another party concurrent with their work, enter the management of a business concern or establish a business, police officers shall inform their police commissioners. Within two weeks, the police officers shall be informed if the aforementioned activity is considered to be incompatible with their position and they are forbidden from engaging in it. Such a prohibition may be referred to the National Commissioner of the Icelandic Police.
- 3. Police employees shall be forbidden to engage in an activity of the type mentioned in paragraph 2 if it is subsequently revealed that it is incompatible with their work in the service of the state.
- 4. In assessing whether an activity is to be considered incompatible with police work, attention shall be given to whether there is reason to think that the additional job will cause neglect of the duties accompanying the police officer's position, or that it will conflict in some way with the officer's police work or in some other way prevent the person concerned from carrying out his or her police work properly.
- 5. [The minister]<sup>1)</sup> shall set general rules on the type of additional jobs that are considered permissible.

<sup>1)</sup>L. 162/2010, 141. gr.

## **Chapter VI Costs of Law Enforcement.**

### **■ Article 33** *Cost of operating the police.*

- Costs arising from the activities of the police shall be borne by the State Treasury.

### **■ Article 34** *Special law-enforcement costs.*

- 1. ...<sup>1)</sup>
- 2. [Police commissioners may, in special rules<sup>2)</sup> set by [the minister]<sup>3)</sup> ]<sup>1)</sup> make provision for the payment of the cost of protective measures in connection with work in public places and the transport of unusual or hazardous loads when the police commissioner considers it necessary to order such police protection.
- [A fee, intended to meet the cost of police work on the examination of an individual's background and the issue of a security certificate, may be charged in accordance with a regulation issued by the minister. When the fee is determined, consideration may be given to the cost involved in opening and registering the case, processing data, examination, registration and monitoring in the police records systems or other databases and administrative procedures, as defined in further detail in the regulation. A condition for charging the fee shall be that there is a provision in law authorising the making of background examinations. The minister shall approve the scale of charges for the service. The scale of charges shall be published in a reliable manner, stating, amongst other things, the monetary amount of the charge, its itemization, if appropriate, and the method of collection.]<sup>4)</sup>

<sup>1)</sup>L. 85/2007, 28. gr. <sup>2)</sup>Rg. 289/2004. <sup>3)</sup>L. 162/2010, 141. gr. <sup>4)</sup>L. 50/2012, 23. gr.

## **Chapter VII [Charges and Complaints against the Police.]<sup>1)</sup>**

<sup>1)</sup>L. 62/2016, 1. gr.

### **■ Article 35** *[Monitoring committee.*

- 1. The minister shall appoint a committee to monitor the work of the police. The committee shall be an independent executive committee and its decisions may not be referred to a higher

authority.

2. The committee shall consist of three persons and the same number of alternates. Members of the committee shall have passed the qualifying examination, or a master's degree, in Law. The Icelandic Human Rights Office shall nominate one committee member, the Icelandic Bar Association another and the minister shall appoint the third, without nomination, who shall be the chairman of the committee. Alternates shall be nominated and appointed in the same way. Members of the committee shall be appointed for four years at a time. The chairman shall engage the employees of the monitoring committee. The minister shall determine wages and other terms of service of committee members.] <sup>1)</sup>

<sup>1)</sup>L. 62/2016, 1. gr.

■ **[Article 35 a Role of the monitoring committee.**

1. The role of the monitoring committee shall be:

a. to receive charges against police employees for alleged criminal offences in the execution of their work; if the National Prosecuting Authority or, as appropriate, the Director of Public Prosecutions, receives such charges, or if an investigation of an offence of this type has been initiated without a charge, then the monitoring committee shall be informed of it,

b. to receive complaints about police working methods or the conduct of a police employee who exercises police powers; if such complaints are received by other government agencies or institutions, they shall be forwarded to the committee without delay;

c. to examine cases where people have lost their lives or sustained serious physical injury in connection with the work of the police, irrespective of whether or not there is a suspicion of criminal activity, and

d. to examine events and police working methods on its own initiative when the committee considers there is reason to do so.

2. The committee shall go over notifications under indents a and b of paragraph 1 and determine whether what is involved is a charge regarding alleged criminal conduct on the part of police employees or a complaint regarding alleged reprehensible working methods or conduct on the part of a police employee in his or her dealings with citizens.

3. The committee shall send the charge or complaint to the appropriate agency for treatment. If the committee's examination under indent c or d of paragraph 1 gives occasion, the committee shall send the appropriate agency statement of the case for examination, in the form of a charge if appropriate.

4. The committee shall observe the handling by the agency in question of cases that originate from the committee, and those agencies which receive charges and complaints that come under the committee shall inform it of their conclusions. The committee shall also send the agencies in question, or, as appropriate, other government authorities, its comments on the handling of individual cases or calls for other measures if it considers there is reason to do so.

5. The Directorate of Public Prosecutions, the National Prosecuting Authority and police commissioners, including the National Commissioner, shall be obliged to deliver to the committee the information it needs in order to discharge its obligations.

6. The committee shall be bound by a non-disclosure (confidentiality) obligation regarding the contents of materials and information that it receives from the prosecuting and law-enforcement authorities in the same way as are the employees of those agencies. Furthermore, the same rules shall apply regarding the supply of information and delivery of materials from

the committee as apply to the release of materials to the committee by those agencies.

☐ 7. The minister shall set further rules regarding the functions of the committee, including as regards deadlines, the following-up of cases and the publication of information.]<sup>1)</sup>

<sup>1)</sup>L. 62/2016, 1. gr.

■ **[Article 35 b Handling of charges against police employees.**

☐ 1. The National Prosecuting Authority shall investigate charges against employees of the police regarding alleged punishable offences in the execution of their work. The same shall apply if the monitoring committee considers it necessary to investigate cases resulting in loss of life, serious physical injury or danger to human life in connection with the work of the police, independent of any suspicion of a punishable offence.

☐ 2. The Directorate of Public Prosecutions shall handle investigations under paragraph 1 if the investigation concerns a police officer who works for the National Prosecuting Authority or another employee of the authority who exercises police authority. In the handling of such cases, the Directorate of Public Prosecutions may exercise the authority that the police would otherwise have. The police shall be obliged to render all assistance requested to the Directorate of Public Prosecutions in connection with the investigation of cases under this Article.

☐ 3. The National Prosecuting Authority or the Directorate of Public Prosecutions shall take a decision at the earliest opportunity, and in no case later than three months after receiving a charge, on whether to initiate an investigation or to dismiss the charge. Procedure shall be subject to the Code of Criminal Procedure.]<sup>1)</sup>

<sup>1)</sup>L. 62/2016, 1. gr.

**Chapter VIII [Training of the Police.]<sup>1)</sup>**

<sup>1)</sup>L. 61/2016, 5. gr.

■ **Article 36** [Estimate regarding staff recruitment in the nation's police.

☐ Each year, the National Commissioner of Police shall draw up a report on the desirable number of students undergoing practical training in the police, based on an estimate of staff recruitment numbers in the Icelandic police. This report shall be taken into consideration when assessing the intake of students in practical training in the police each year.]<sup>1)</sup>

<sup>1)</sup>L. 61/2016, 5. gr.

■ **Article 37** [The Centre for Police Training and Professional Development.

☐ 1. The Centre for Police Training and Professional Development shall function within the office of the National Commissioner of Police.

☐ 2. The role of the centre includes:

a. to attend to the practical training of students pursuing Police Science at a university (*cf.* Article 38) in collaboration with the university;

b. to supervise continuing education of police officers in the police force;

c. to attend to the organisation and supply of specialised training courses, in collaboration with a university or on the basis of international collaboration, as appropriate;

d. to act in an advisory capacity to government authorities regarding the education of police officers;

e. to handle contact with other countries regarding police training, and

f. to attend to other tasks regarding the education and training of the police.]<sup>1)</sup>

<sup>1)</sup>L. 61/2016, 5. gr.

■ **Article 38** *[Admission requirements for students in practical training in the police.*

□ 1. The Centre for Police Training and Professional Development shall handle the practical training of police students and select students for practical training in collaboration with the university. The centre's decision regarding the selection of students for practical training shall be final. Students undergoing practical training shall meet the following general requirements:

a. they shall be Icelandic citizens, aged 20 years or older,

b. they may not have been convicted of a punishable offence (this shall not apply, however, if the offence was minor or a long period has passed since it was committed) or have exhibited conduct that could diminish the trust that police officers are generally required to enjoy,

c. they shall be mentally and physically healthy, and pass a medical examination by a police physician in accordance with the current demands laid down by the Centre for Police Training and Professional Development in collaboration with the university;

d. they shall have completed the matriculation examination or another comparable level of education;

e. they shall meet further requirements which the minister shall set out in a regulation, on the basis of proposals from the Centre for Police Training and Professional Development, concerning matters such as education, practical training, language skills and physical ability.

□ 2. In order to verify whether individuals meet the requirement of indent b of paragraph 1, the Centre for Police Training and Professional Development may obtain information from the penal register and from police case records.] <sup>1)</sup>

<sup>1)</sup>L. 61/2016, 5. gr.

■ **Article 39** *[Agreements on teaching and research in Police Science.*

□ 1. The minister responsible for higher education shall make agreements with a university on teaching and research in Police Science in accordance with Article 21 of the Higher Education Act. The Centre for Police Training and Professional Development shall be consulted when agreements are made.

□ 2. The agreements provided for in paragraph 1 shall state minimum demands regarding the content and quality of studies in Police Science, the main emphases in the teaching, syllabuses, the availability of courses, the structure of teaching, quality assessment and monitoring and other matters considered desirable by the parties to the agreements. In addition, provisions shall be made regarding special admission requirements, student numbers, fees to be charged to students and payments for other services provided under the agreements.

□ 3. The Centre for Police Training and Professional Development shall be consulted when the execution of teaching and research in Police Science is discussed at the annual consultative meeting between the university and the minister responsible for higher education.] <sup>1)</sup>

<sup>1)</sup>L. 61/2016, 5. gr.

■ **[Article 39 a. Regulation on the Centre for Police Training and Professional Development.**

□ The minister shall issue a regulation, <sup>1)</sup> after receiving proposals from the centre for training and professional development, containing further instructions regarding specialised courses to

be offered, admission requirements for students to enter practical training and the functioning of the Centre for Police Training and Professional Development.] <sup>2)</sup>

<sup>1)</sup>Rg. 490/1997, sbr. 1102/2008 og 445/2015. <sup>2)</sup>L. 61/2016, 5. gr.

#### **Chapter IX. Miscellaneous Provisions.**

■ **Article 40** *Further rules on the application of this Act.*

[The minister] <sup>1)</sup> shall issue further rules <sup>2)</sup> on the application of this Act.

<sup>1)</sup>L. 162/2010, 141. gr. <sup>2)</sup>Rg. 289/2004. Rg. 192/2008. Rg. 350/2009, sbr. 301/2014. Rg. 1151/2011. Rg. 1152/2011, cf. 1163/2012.

■ **Article 41** *Sanctions.*

Violations of Articles 19–21 shall be punishable by fines unless more severe punishments are prescribed in other acts of law.

■ **Article 42** *Commencement.*

1. This Act shall take effect on 1 July 1997.

...

■ **Article 43** ...

#### **Chapter X Interim provisions.**

■ **Article 44** *Abolition of the State Criminal Investigation Police. ...*

■ **[Article 45** *Exemption from age requirement. ...]*<sup>1)</sup>

<sup>1)</sup>L. 29/1998, 7. gr.

■ **[Article 46** 1. Those who have reached the age of 63 years at the commencement of this Act but have not yet reached the age of 65 years may, within six months of the commencement of this Act, request to have the older rules on the retirement age apply to them. If they reach the age of 65 years within six months of the commencement of this Act, they shall state such a request before reaching that age. Police officers who wish to have the older rules on retirement age apply to them shall send a written announcement to that effect to the office of the National Commissioner of Police.

2. Those who have reached the age of 65 years at the commencement of this Act but are not yet 70 years old shall be retired from their positions as from and including 1 May 2003 unless they request, before that date, to have the older rules on retirement age apply to them. In that case, they shall send a written announcement to that effect to the office of the National Commissioner.] <sup>1)</sup>

<sup>1)</sup>L. 56/2002, 7. gr.