

INSTRUCTIONS

Violations of the Act on Health Security and Communicable Diseases and the regulations set according to the act cf. Article 19 of the Act on Health Security and Communicable Diseases no. 19/1997 in respect of the COVID-19 pandemic

RS: 4/2020

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RS:4/2020
cf. RS:2/2019

Referring to the current circumstances in the community regarding the COVID-19 pandemic and the decisions by the Minister of Health on public prevention measures against communicable diseases in conformity with the Act on Health Security and Communicable Diseases no. 19/1997, cf. advertisement no. 243/2020 and Regulation no. 259/2020, the Office of the Director of Public Prosecutions has issued special instructions regarding violations of the regulations appearing therein and pertain to restrictions of public gatherings and quarantine.

The Director of Public Prosecutions requests information from the chiefs of police on the processing of all cases that occur and pertain to alleged violations of the said regulations in order to facilitate an overview and conformity of the chiefs of police's handling of instances.

The Director of Public Prosecutions emphasizes that prosecutors shall assess every single instance and that they determine the amount of fine on grounds of the gravity of an offence, however, it being clear that offences may very different and thereby also their gravity.

Furthermore, it is clear that in some instances the conduct may be particularly serious, not least regarding violations of the rules on quarantine, such that the conduct falls under the provisions of Article 175 of the General Penal Code no. 19/1940 and that therefore formal charges should be imposed regarding the offence. An example is an accused causing a group of people being exposed to infection or infects a group of people with COVID-19, and even more seriously exposes or infects those at special risk because of their underlying vulnerability. If such an instance arises, the prosecutors shall immediately inform the Director of Public Prosecutions and the District Prosecutor of accordingly. The District Prosecutor holds the power of indictment in cases of violence of Article 175 of the General Penal Code.

Offences against the regulations by the Minister of Health no. 259/2020 on quarantine and isolation due to COVID-19:

Violations of the duty to go into/be in quarantine, Article 3.

The fine is determined on grounds of the gravity of the offence, ISK 50.000-250.000.

Violations of the duties of those in quarantine, Article 4.

The fine is determined on grounds of the gravity of the offence, ISK 50.000-250.000.

Violations of the regulations on isolation, Article 7, para 1 and 2.

The fine is determined on grounds of the gravity of the offence, ISK 150.000-500.000.

The authorization of fines only applies to the first offence.

Offences against the regulations, cf. the advertisement no. 243/2020, by the Minister of Health, on restrictions of public gatherings due to a pandemic:

Violation of the regulations on group gatherings – i.e. fewer than 20 persons gathering, Article 3.

The fine of an individual attending a gathering, ISK 50.000.

The fine of a spokesperson/organizer holding a gathering/opening, ISK 250.000-500.000.

The authorization of fines only applies to the first offence by the spokesperson/organizer.

Violation of the regulations on the closure of public places and activities in respect of a special risk of infection, Article 5.

The fine is determined on grounds of the gravity of an offence, ISK 100.000-500.000.

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