COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Replies to the thematic questionnaire

"Screening of professionals, volunteers and other persons in contact with children"

ICELAND

Replies received by the Secretariat on 7 September 2026

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term "screening" is used in this questionnaire, this should be understood as "verification of criminal convictions for sexual offences against children".

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate:

a. Your name and position
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b. State Party in respect of which the questionnaire is submitted
Iceland

c. Entities and bodies which have been involved in responding to this questionnaire
The response has been compiled and submitted by the Ministry of Education and Children in consultation with its relevant departments and with contributions and official confirmations from the following national agencies: The National Agency for Children and Families and The Directorate of Labour.

Please note that this list represents only the entities involved in this current submission; additional ministries and government agencies are being consulted and will be involved in finalizing the questionnaire in its entirety.

<u>Persons concerned by screening requirements</u>

1. Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	Yes	Yes	Yes	Yes	The requirement applies to all pre-school staff that are recruited to work at a pre-school. The relevant legal basis is Article 6, paragraph 3

					of Act No. 90/2008 on pre-schools. This is complemented and reinforced by Article 12, paragraph 3 of the Act on the Education, Competency and Recruitment of Teachers and School Administrators of Pre-schools, Compulsory Schools and Upper Secondary Schools No. 95/2019 2, which applies identical prohibitions to all recruitment within these school levels. While the statutory mandate under these Acts is limited to recruitment and employment (covering both public and private sectors), in practice, any volunteers or self-employed professionals/contractors who might be engaged in regular contact with children at schools are also subject to the same screening requirements as a matter of policy and institutional practice to ensure child safety.
Education – Primary	Yes	Yes	Yes	Yes	The requirement applies to all compulsory school staff recruited to work at a compulsory school (primary and lower secondary levels). The primary legal basis is Article 11, paragraph 3 of the Compulsory School Act No. 91/2008.

					This is complemented and reinforced by Article 12, paragraph 3 of the Act on the Education, Competency and Recruitment of Teachers and School Administrators of Pre-schools, Compulsory Schools and Upper Secondary Schools No. 95/2019 2, which applies identical prohibitions to all recruitment within these school levels. While the statutory mandate under these Acts is limited to recruitment and employment (covering both public and private sectors), in practice, any volunteers or self-employed professionals/contractors who might be engaged in regular contact with children at schools are also subject to the same screening requirements as a matter of policy and institutional practice to ensure child safety
Education – Secondary	Yes	Yes	Yes	Yes	The requirement applies to all upper secondary school staff that are recruited to work at an upper secondary school. The relevant legal basis is Article 8, paragraph 5 of the Upper Secondary Education Act No. 92/2008. This is complemented and reinforced by

					Article 12, paragraph 3 of the Act on the Education, Competency and Recruitment of Teachers and School Administrators of Pre-schools, Compulsory Schools and Upper Secondary Schools No. 95/2019, which applies identical prohibitions to all recruitment within these school levels. While the statutory mandate under these Acts is limited to recruitment and employment (covering both public and private sectors), in practice, any volunteers or self-employed professionals/contractors who might be engaged in regular contact with children at schools are also subject to the same screening requirements as a matter of policy and institutional practice to ensure child safety.
Education – Tertiary	No	No	No	No	No general child-contact-specific statutory screening requirement was identified in the Universities Act No. 63/2006. Accordingly, the answer is No for ordinary university employment, volunteering and self-employment. Where a university or another tertiary institution operates an activity governed by another statute (for example a school, organized

					youth work, a healthcare service or a child-protection service), the screening rule applicable to that activity applies.
Education – Extracurricular (e.g. language schools)	Yes	Yes	Yes	Yes	For extracurricular educational activities (such as music schools, language courses, and private tutoring), the screening requirements vary depending on the organizational and legal framework. Structured Educational Youth work: Under Article 10 of the Youth Act No. 70/2007, any non-profit youth organizations or structured educational programs falling under the Act must screen all employed staff and volunteers who work with children under 18. Private and Commercial Extracurricular Schools: For purely commercial private schools (e.g., private language centers or individual private tutors), there is no general statutory mandate to present a criminal record. However, as a matter of policy, most established private institutions and municipal partners demand criminal record checks from their instructors as a standard contractual

					condition to ensure child safety.
Childcare (e.g. kindergartens, crèches, childminders	Yes	Yes	Yes	Yes	Home-Based Childcare (Self-employed Day Parents). Under Article 13, paragraph 5 of Regulation No. 907/2005 on Daycare of Children in Private Homes, obtaining a municipal operating license is strictly conditional upon verifying the clean criminal record of the applicant and all household members aged 15 and older. The screening strictly prohibits licensing if any individual on the premises has been convicted of offences under Chapters XXII (sexual offences) and XXIII (offences against children's safety and welfare) of the General Penal Code No. 19/1940. Institutional Childcare (Kindergartens and Crèches). Formal childcare centers and nurseries for infants are governed by the Pre-school Act No. 90/2008 and Act No. 95/2019. All employed staff must undergo a mandatory criminal record check at the time of recruitment, and individuals with convictions under Chapter XXII are strictly barred from employment.
Institutional or residential care (e.g. foster	Yes	Yes	Yes	Yes	Under Article 36, paragraph 2 of the Child Protection Act No. 80/2002, any

homes, orphanages, closed residential facilities)					person convicted of a sexual offence under Chapter XXII of the General Penal Code No. 19/1940 is strictly prohibited from being employed by child protection authorities, or in children's homes or institutions covered by child protection law. This mandatory prohibition and screening requirement apply universally, whether the facilities are run by the state, municipalities, or private entities.
Detention	Yes	No specific rule	N/A	N/A	Yes for persons appointed, assigned or employed by the Prison and Probation Administration or in State prisons. Article 10 of the Execution of Sentences Act No. 15/2016 requires a consent-based background check before appointment or employment, using police records, the criminal record for authorities, foreign-authority or INTERPOL systems and the National Registry. The check is a broad security and suitability check, not a child-contact-specific rule. It covers information from the preceding five years and must be repeated at least every five years. Private-sector and self-employed prison roles were not identified; volunteer screening is not expressly regulated in the same provision.

Migration facilities (e.g. reception centres)	No	No	Yes	N/A	There is currently no statutory requirement or administrative practice to request criminal record certificates for public sector staff employed directly by the Directorate of Labour (Vinnumálastofnun) in housing and reception facilities for applicants for international protection, nor is screening requested for volunteers (who, in most cases, are applicants themselves). However, for private security guards contracted to work in these facilities through public tenders, the Directorate of Labour includes a mandatory requirement in the procurement terms stating that all security guards working in these facilities must have a clean criminal record. HOF — the Return and Escort Division forms part of the National Commissioner of the Icelandic Police (NCIP/RLS). The NCIP is responsible for implementing decisions concerning the removal and expulsion of applicants for international protection. This responsibility is set out in Article 23 of

					Regulation No. 325/2021 and Article 5(2)(i) of the Police Act No. 90/1996. In connection with the implementation of return decisions, accommodation may be provided to persons awaiting departure from Icelandwith both a welfare and an operational purpose. The accommodation should not automatically be described as a detention facility and should be distinguished from the statutory *departure centre* established by Act No. 48/2026 on a Departure Centre. If security guards at the accommodation facility are employed by a private security company providing guarding services under contract, the company and its guards are governed by the Security Services Act No. 58/1997 and Regulation No. 340/1997 on Security Services. Upon recruitment, the employee must provide the licensed security company with a criminal-record certificate and any other information

					required to assess their suitability and must provide a new criminal-record certificate every two years, or more frequently where circumstances warrant it. If the guards are employed directly by the National Commissioner of the Icelandic Police, Article 28a of the Police Act applies. The police may obtain information directly from the criminal records register; and police case registers. The check may be broader than an ordinary criminal-record certificate because information may also be obtained from police case registers.
Sport	Yes	Yes	Yes	Yes	Under Article 16 of the Sports Act No. 64/1998, which is implemented and enforced through the bylaws of the National Olympic and Sports Association of Iceland, it is strictly prohibited to employ or assign volunteer duties to any individual supervising children and youth under 18 within the sports movement who has been convicted of sexual offences under Chapter XXII of the General Penal Code No. 19/1940, murder

					under Article 211, serious bodily harm under Article 218, or drug-related offences under the Narcotic Drugs Act No. 65/1974 within the past five years. To ensure compliance, obtaining a criminal record check is mandatory for all employees and volunteers working with children under 18.
Culture and leisure activities	Yes	Yes	Yes	Yes	For culture and recreational leisure activities, the screening requirements are robustly covered under two main statutory frameworks. After-School Care and Youth Clubs: Under Article 10, paragraphs 4 and 5 of the Youth Act No. 70/2007, it is strictly prohibited to hire employees or use volunteers in municipal after-school care centers, municipal youth clubs or other recreational facilities who have been convicted of sexual offences under Chapter XXII of the General Penal Code No. 19/1940 or drug-related offences within the past five years. Summer Camps and Residential Recreation: Under Article 15 of Regulation No. 366/2005 on the placement of children in summer camps,

					any operator of a summer camp or similar residential recreation must obtain an operating license, which is strictly conditional upon verifying the clean criminal records (specifically regarding Chapter XXII offences) of all employees, organizers, and all household members aged 15 and older.
Entertainment sector	No	Yes, if the Youth Act applies	Yes, if the Youth Act applies	No general rule	No general screening rule applies to the entertainment sector as such. Where an entertainment or cultural activity is organized youth work within the Youth Act No. 70/2007, Article 10 applies to employees and volunteers entrusted with supervising persons under 18. Commercial entertainment and individual self-employed performers are not subject to a general child-contact-specific check unless another sector-specific licensing or contractual rule applies.
Faith and religion	Yes	Yes, if the Youth Act applies	Yes, if the Youth Act applies	No general rule	The general Child Protection Act No. 80/2002 applies equally to all religious and life-stance organizations, just like any other institutions in society. Criminal Records and Background Requirements for Staff According to the Act on Registered Religious Organizations and Life-Stance Organizations

					No. 108/1999, leaders and those representing the organizations must meet strict qualification criteria. In practice, and according to the Child Protection Act, it is prohibited to hire individuals to work with children if they have been convicted of sexual offenses or violence against children. Today, religious organizations require staff and volunteers in children's ministries to present a clean criminal record." Church, YMCA/YWCA (KFUM/KFUK) and other faith-based programmes that constitute organized youth work fall under Article 10 of the Youth Act No. 70/2007, including the prohibition for employees and volunteers supervising persons under 18. There is no general requirement for clergy or other religious roles outside activities covered by that Act or another sector
Healthcare (including psychological and psychiatric services)	Yes	No general rule	No general rule	No general rule	No general child-contact-specific criminal-record screening requirement was identified in the Healthcare Professionals Act No. 34/2012 for healthcare professionals as a category Healthcare professionals and psychologists undergo strict background checks before receiving their professional license and when being

					hired to work with children in Iceland. This vetting and monitoring process takes place at two main stages: 1. Statutory Requirement for Criminal Records Upon Hiring According to the Icelandic Child Protection Act No. 80/2002, directors of institutions providing services to children (including the Child and Adolescent Psychiatric Department (BUGL), healthcare centers, and specialized psychological clinics) are obligated to request a criminal record before hiring staff. • It is prohibited to hire an individual who has been convicted of a sexual offense or a violent offense against children. • This rule applies equally to doctors, nurses, psychologists, practical nurses, as well as any other employees at the workplace who have access to children. 2. Background Vetting for

					Professional Licensing Before a psychologist or healthcare professional can use that professional title or work with patients, they must obtain an official license to practice from the Directorate of Health. • Upon application, the Directorate reviews the applicant's background, including educational credentials and professional competence. • If the individual resides abroad or studied overseas, a Certificate of Good Standing is required from the relevant country to confirm that their license is fully valid and has not been revoked due to serious disciplinary action or professional malpractice. 3. Professional Oversight in Practice Background vetting does not end upon hiring. The Directorate of Health maintains a public registry of licenses where the general public and employers can look up

					healthcare professionals and psychologists to verify that their licenses are valid and that no restrictions have been placed on their practice due to complaints or misconduct."
Social protection services	Yes	N/A	Yes	Yes, where contracted	Yes for employment by public or private providers and for contractors or subcontractors in regulated social services. Article 18 of the Social Services of Municipalities Act No. 40/1991 and Article 26 of the Act on Services for Disabled Persons with Long-Term Support Needs No. 38/2018 prohibit such work where the person has been convicted under Chapter XXII of the General Penal Code, Article 211 or Article 218, and authorize a consent-based criminal-record inquiry. No general statutory rule was identified for unpaid volunteers unless another Act, such as the Youth Act or Child Protection Act, applies. Within the administrative operations of Child Protective Services (case investigations, decision-making, and processing), no volunteers are employed. These positions require specialized university degrees and are subject to the strict rules of administrative law and a rigorous duty of confidentiality. • Support workers and foster parents: Instead

					of volunteers, Child Protective Services utilizes paid or contracted support workers, supervisors, personal advisors, or foster parents. Although they are sometimes not trained professionals, they are not volunteers but rather contractors or employees who undergo a strict competency assessment, training courses, and background checks (criminal records) by child protective authorities before being allowed to care for a child. • Collaboration with NGOs: Child protective authorities often work closely with non-governmental organizations where volunteers operate (e.g., the Red Cross or support groups). When volunteers from such organizations provide informal support to families, the organizations themselves always require a criminal record and follow strict child protection policies to ensure safety." but volunteers are not part of the social protection services so that is not applicable.
Law enforcement	Yes	N/A	N/A	N/A	Yes, as part of general suitability screening rather than a child-contact-specific check. Applicants for police training and police service are subject to criminal-record and police-record assessment under the Police Act and Regulation No. 221/2017 on police education and

					training. Police roles are public-sector roles; the volunteer, private and self-employed columns are not applicable.
Judicial	Yes, for judges	N/A	N/A	N/A	For judges and legally qualified judicial assistants, general statutory integrity requirements apply. Under the Courts Act No. 50/2016, a judge may not have received a custodial sentence for an offence committed after the age of 18 or have engaged in conduct undermining the trust required of judges; assistants must satisfy corresponding conditions. This is not a separate screening rule based on regular contact with children. The private, volunteer and self-employed columns are not applicable to judicial office.
Civil society organisations	N/A	Yes	Yes	Yes	Civil society organizations (such as sports clubs, youth associations, scouts, and other NGOs working with children) are subject to strict mandatory screening and recruitment bans under Icelandic law. Under Article 10, paragraphs 4 and 5 of the Youth Act No. 70/2007 and Article 16, paragraphs 1 and 2 of the Sports Act No. 64/1998 organizations are strictly prohibited from hiring employees or utilizing volunteers to supervise children

					and youth under 18 if they have been convicted of sexual offences under Chapter XXII of the General Penal Code No. 19/1940. These laws explicitly extend the mandatory screening requirement to: Employees: Anyone recruited to work with or supervise children under 18. Volunteers: Anyone entrusted with the care or supervision of children on a voluntary basis. Self-employed professionals: External contractors or instructors hired by these organizations to supervise children must fulfill the exact same screening criteria.
Victim services (including Barnahus, domestic violence services)	Yes	Yes	Yes	Yes	Under Article 36, paragraph 2 of the Child Protection Act No. 80/2002, any person convicted of a sexual offence under Chapter XXII of the General Penal Code No. 19/1940 is strictly prohibited from being employed in victim services that fall under child protection authorities, such as Barnahús (Children´s House). This mandatory prohibition and screening requirement apply universally to all personnel, whether employed in public, municipal, private, or voluntary roles within

					these specialized victim support services.
Any other sectors (please specify)	N/A	N/A	N/A	N/A	No additional sector is specified.

Here you can insert additional details or specify any exceptions.

2. In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:

   a. define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification

      No

   b. distinguish between direct, indirect or online contact with children?

      No

   If yes, please provide details.

3. Is the absence of criminal convictions for sexual offences against children required to become:

   a. an adoptive parent

      Yes, through the statutory suitability assessment. Under Article 6 of Adoption Regulation No. 1030/2023, the District Commissioner obtains criminal-record certificates for the applicants and may request other necessary records. Article 12 provides that applicants must not have received a criminal conviction that gives reason to doubt their ability to raise a child well. The rule is not formulated as an automatic Chapter XXII lifetime bar in the same terms as the school, youth, sport or foster-care provisions, but a conviction for a sexual offence against a child would be directly relevant and would ordinarily preclude a positive suitability assessment.

   b. a foster parent

      Yes. Under Article 36 and Article 66, paragraph 1 of the Child Protection Act No. 80/2002, the Quality and Supervisory Authority of Welfare is the competent licensing authority that issues foster care licenses.

      The Quality and Supervisory Authority of Welfare acts as the initial administrative filter; upon receiving an application, it performs the initial screening, including verifying the criminal record. If a candidate is found to have convictions under Chapter XXII (sexual offences) of the General Penal Code No. 19/1940, the licensing authority has the statutory authority to deny the application immediately. If the application passes this initial screen, it is referred to the National Agency for Children and Families, which is responsible for the comprehensive, professional suitability assessment. Under Article 6, paragraph 3 and Article 7 of the Regulation on Foster Care No. 804/2004, individuals convicted of sexual offences are strictly and unconditionally barred from foster care, and screening is mandatory for applicants and all household members aged 15 and older. Following its assessment, the National Agency for Children and Families submits a formal evaluation back to the Quality and Supervisory Authority of Welfare, which makes the final decision on the license.

   c. a child's legal guardian (including for unaccompanied children)?

Yes for a person appointed as a legal guardian. Article 54 of the Guardianship Act No. 71/1997 provides that an appointed guardian must not have been convicted of an offence under Chapter XXII of the General Penal Code. A criminal-record certificate, or authorization for the competent guardianship authority to obtain information from the criminal register, must be available before appointment. A representative appointed solely for immigration proceedings is a lawyer under the Foreign Nationals Act and is not necessarily the child's legal guardian; the professional rules applicable to that role also apply.

4. Is the absence of criminal convictions for sexual offences against children required for the household members of:
   a. persons carrying out professional activity in their home who are in contact with children

      Yes. Under Icelandic law, professional activities involving children carried out in private homes encompass two main categories where screening of all household members is mandatory:
      1. Home-based Daycare: Under Article 13, paragraph 5, item 5 of the Regulation on Daycare in Domestic Settings No. 907/2005, obtaining an operating license is strictly conditional on the applicant and all household members aged 15 and older providing written consent for a criminal record check. Any sexual offence conviction under Chapter XXII of the General Penal Code No. 19/1940 is an absolute barrier to licensing.
      2. Home-based Short-Term Stays or Summer Placements: Under Article 84 of the Child Protection Act No. 80/2002 and Articles 15 and 22 of the Regulation on the Placement of Children in Non-Child Protection Facilities No. 366/2005, any home-based placement, care home, or summer stay operated as a professional or contracted service requires the Quality and Supervisory Authority of Welfare to verify the clean criminal records of the primary operator and all household members aged 15 and older before granting an operating license.

   b. persons carrying out volunteering activity in their home who are in contact with children

      No. Under Icelandic law, while the volunteers themselves who are in contact with children must undergo mandatory criminal record screening (under the Youth Act No. 70/2007 and the Sports Act No. 64/1998), there is no statutory requirement to screen the household members of persons carrying out voluntary activities in their private homes.
      However, individual non-governmental organizations and voluntary associations may enforce their own internal safety policies and request criminal record checks of volunteers and, where applicable under their internal rules, members of their households, as a condition for participating in specific home-based hosting or respite programs.

   c. persons wishing to become an adoptive parent, a foster parent, or a child’s legal guardian?

      Foster care: Yes. Under Article 7 of Foster Care Regulation No. 804/2004, both applicants and every household member aged 15 or over must authorize a check of whether they have ever been convicted of a Chapter XXII offence against a person under 18. A conviction of an applicant is an absolute bar under Article 6; information concerning another household member forms part of the suitability assessment of the household. Adoption: the applicants themselves are checked under Adoption Regulation No. 1030/2023. No equally general rule requiring a criminal-record certificate from every other household member was identified, although the child-protection service’s home and suitability assessment may consider household composition and relevant risks. Legal guardianship: Article 54 of the Guardianship Act screens the person appointed as guardian; no general check of that person's household members was identified.

5. Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to:

   a. children applying for professional or volunteer positions

Article 14 of the General Penal Code No. 19/1940 sets the age of criminal responsibility at 15. A child under 15 cannot have a criminal conviction, so criminal-conviction screening produces no record and cannot operate as a substantive bar. Persons aged 15–17 who apply for employment or volunteer positions are subject to the same sectoral screening rules where the legislation covers the role; the school, Youth and Sports Acts do not provide an age-based applicant exemption. A criminal-record certificate may be issued from age 15 under Criminal Record Rules No. 680/2009. Safeguards governing the processing of minors' data continue to apply. For individuals under 18, however, according to the rules on criminal records, a criminal record is only provided if the guardian's consent is available.

   b. adults in respect of criminal convictions received before the age of 18?

   Yes, in principle. A conviction imposed when the person was aged 15–17 is not automatically disregarded merely because the person later becomes an adult. Whether it is visible in a particular check depends on the statutory access route and the disclosure periods in Criminal Record Rules No. 680/2009. Where the sectoral law asks whether the person has ever been convicted of a Chapter XXII offence, such as foster-care screening, the minor age at the time of conviction does not create a separate exemption. It is therefore not accurate to treat every pre-18 conviction as automatically visible on every ordinary personal certificate; see question 11.

6. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

   In Iceland, individuals are identified in public registers by a unique personal identification number (kennitala) under the Act on Registration of Individuals No. 140/2019. A legal name change changes the registered name but not the person's kennitala; the National Registry also maintains relevant registration and change information.

   Criminal-record data and requests are matched to the person's kennitala and other identifying data, not solely to the displayed name. Consequently, a lawful name change does not sever the link between the person and existing criminal-record entries. Criminal-record access and certificates are governed by the Criminal Procedure Act No. 88/2008 and Criminal Record Rules No. 680/2009.

7. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

   In Iceland, the disbursement of public funds or grants (such as those from the Youth Fund or the Sports Fund) for projects involving children is not conditional on a direct or automatic criminal record check of the project's staff by the funding authority itself prior to disbursement.

However, all recipients of such public funds (such as sports clubs, youth organizations, and other NGOs) are legally mandated to comply with the provisions of Article 10 of the Youth Act No. 70/2007 and Article 16 of the Sports Act No. 64/1998. These acts strictly prohibit employing staff or utilizing volunteers who have been convicted of sexual offences under Chapter XXII of the General Penal Code No. 19/1940.
Since all public funding and grant agreements are strictly conditional on the recipient's full compliance with Icelandic laws during the execution of the project, any failure to perform the required screening or any violation of these acts constitutes a serious breach of the funding agreement. This can legally result in the suspension of payments, the cancellation of the grant, or a demand for the full return of the public funds.

<u>Information included in screening</u>

8. Does the criminal record check include criminal convictions for:
   a. sexual abuse of a child (Article 18 of the Lanzarote Convention)
   b. sexual exploitation of a child ("child prostitution" Article 19 of the Lanzarote Convention)
   c. acts involving child sexual abuse material ("child pornography" Article 20 of the Lanzarote Convention)
   d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention)
   e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention)
   f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention)
   g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention)
   h. any other convictions (please specify)?

   Yes, subject to the elements of the corresponding Icelandic offence. The sectoral screening provisions generally refer to all convictions under Chapter XXII of the General Penal Code No. 19/1940 rather than to a separate list of Lanzarote Convention offences. That Chapter covers sexual abuse of children (including offences based on age, family or dependency, or a position of trust), sexual exploitation or prostitution of children, child sexual abuse material, participation of children in pornographic performances, and solicitation or grooming, including through electronic communications. Conduct consisting in intentionally causing a child to witness sexual acts is covered where it satisfies the elements of the relevant Chapter XXII provisions; Icelandic law does not use "corruption of a child" as a separate offence label. General Penal Code rules on attempt and participation or aiding apply to these offences and a resulting conviction is recorded. Depending on the sector, checks may also encompass other offences: for example, the Sports Act includes homicide (Article 211), grievous bodily harm (Article 218) and specified drug convictions within the previous five years; the Youth Act also includes specified drug convictions within the previous five years.

9. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:
   a. relevant administrative or disciplinary sanctions
   b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?

   Generally, No for ordinary school, youth and sport screening: the statutory bar and direct criminal-record query concern convictions. Administrative sanctions, professional discipline and civil judgments are not automatically included in an ordinary criminal-record certificate. Yes in particular broader suitability or licensing procedures. Adoption and foster-care authorities may obtain and assess other necessary information; police, prison and certain public-security background checks may use police case-file information; healthcare and professional licensing authorities may consider disciplinary and fitness information under their own legislation. Any use or disclosure must have a legal basis and comply with necessity, proportionality and data-protection rules.

10. If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:

    a. are they life-long?

    b. if they are not life-long, please specify the time-limits applicable

    c. are they applied only to activities in the public sector?

    Yes, in the principal child-contact sectoral bans. The school, Youth Act and Sports Act provisions do not set an expiry period for a Chapter XXII conviction; the prohibition therefore operates without a fixed time limit. The same is explicit in foster-care screening, which asks whether the person has ever been convicted. The separate five-year limits in the Youth and Sports Acts concern specified drug offences, not sexual offences. These restrictions are not limited to the public sector: the school laws cover public and private schools, the Youth and Sports Acts cover the relevant organizations and volunteers, and the Child Protection Act covers public and private institutions within its scope. Separately, Article 68 of the General Penal Code permits a court to deprive a person of a public office, licence or authorized profession for a fixed period or indefinitely; an indefinite deprivation may be reviewed after five years.

11. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

    Not uniformly. Criminal Record Rules No. 680/2009 distinguish between certificate types. An ordinary personal certificate generally omits non-custodial outcomes after three years and custodial sentences after five years from the relevant date. A certificate for authorities generally omits information after ten years, subject to the Rules and the Prosecutor General's special authority. Sector-specific laws may authorize a targeted inquiry into whether a person has ever been convicted of a Chapter XXII offence; Foster Care Regulation No. 804/2004 expressly uses that formulation. Accordingly, an older conviction may be absent from an ordinary personal certificate but still be available in a lawfully authorized, purpose-specific authority check. Icelandic law should therefore not be described as having a single uniform "spent conviction" rule for all screening.

Screening procedure

12. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)?

    Screening is decentralized and sector-specific, not governed by a single child-contact screening Act. The relevant provisions are contained in the pre-school, compulsory-school and upper-secondary-school Acts; the teacher, Youth, Sports, Child Protection, Social Services, Disabled Services, Guardianship, Adoption and Execution of Sentences legislation; associated regulations; and Criminal Record Rules No. 680/2009. The General Penal Code defines the offences and general participation and attempt rules, while data-protection and administrative-law principles govern access, use, notice and proportionality.

13. If screening is required, who is required to act?

    a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities
    b. the candidate must provide proof of absence of convictions
    c. another scenario. Please specify

    Both scenarios (a) and (b) occur. In schools the candidate may provide a criminal-record certificate or authorize the school principal or competent manager to obtain the relevant information. Under the Youth and Sports Acts, the organization's manager obtains the information from the criminal register with the candidate's consent. Child-protection, foster-care, adoption, guardianship and prison authorities obtain information directly under their specific statutory powers, normally after consent or authorization. The recruiting or licensing body remains responsible for ensuring that the statutory condition is met; merely asking the candidate orally is insufficient.

14. If screening is required, who bears the costs of screening procedures?

    No single cost rule applies. Where the competent authority accesses the criminal register directly under statutory authority, the administrative cost is normally borne within the recruiting, licensing or public authority's procedure. Where a candidate is required to obtain and submit a personal criminal-record certificate, any prescribed issuance fee is normally borne by the candidate unless the employer or organization reimburses it. Adoption, foster-care and guardianship procedures follow their own administrative fee and cost rules.

15. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

    There is no single central inspectorate auditing all criminal-record screening across sectors. Compliance is monitored through the ordinary responsibility of the employer or governing board and the relevant sector's supervision and licensing system: school operators and education authorities; organizations and their governing bodies under the Youth and Sports Acts; municipal child-protection services, the National Agency for Children and Families and the Quality and Welfare Supervisory Agency for child-protection and foster-care services; municipal and welfare supervision for social services; the competent guardianship and adoption authorities; and the Prison and Probation Administration for prison staff. Reviews may occur during recruitment, licensing, inspections, complaints, contract or grant monitoring, or case-specific audits.

16. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

    Yes, but consequences are sector-specific; there is no single uniform screening offence or penalty. A person who is legally barred must not be recruited or licensed, and an unlawful appointment can lead to refusal, corrective action, reassignment or termination. A foster-care, childcare or service licence may be refused, restricted or withdrawn under the applicable regime; public contracts or grants may be suspended or recovered where compliance is a condition. Supervisory and employment-law measures may also follow. The Youth and Sports Acts do not themselves establish a separate criminal penalty solely for failure to perform the check. In the prison system, a staff member who no longer passes the required background check must be released from duties under Article 10 of Act No. 15/2016.

17. Is regular screening, beyond the initial recruitment process, required, for:

    a. professionals in contact with children

    b. volunteers in contact with children

    c. foster parents and legal guardians?

    a. Professionals: Generally No beyond a new recruitment or assignment, unless the sector-specific regime provides otherwise. A notable exception is prison staff: Article 10 of the Execution of Sentences Act requires the background check to be repeated regularly and at least every five years. b. Volunteers: No general periodic re-screening interval is set by the Youth or Sports Acts. Organizations may adopt shorter internal renewal periods. c. Foster parents and legal guardians: Foster-care information is refreshed when the person applies to take another child; under Article 12 of Foster Care Regulation No. 804/2004, new criminal-record information must be obtained if more than two years have elapsed since the previous information. Changes in a foster family's circumstances must also be reported and may trigger review. No fixed periodic criminal-record recheck was identified for an appointed legal guardian under the Guardianship Act.

    There is an additional safety mechanism. The National Agency for Children and Families has statutory access to information about people convicted of Chapter XXII sexual offences and may alert the relevant child-protection service where a person is considered dangerous. That may catch some post-recruitment convictions, but it is not a prescribed periodic recheck of every worker, volunteer, or foster parent.

18. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

    There is no general automatic notification from law enforcement to every employer or volunteer organization merely because an investigation has begun. Information about an ongoing investigation is sensitive personal data and may be disclosed only where a specific statutory basis and necessity and proportionality requirements are met. Police and other professionals remain subject to the Child Protection Act's reporting duties when a child may be at risk; competent child-protection or supervisory authorities may exchange necessary information within their statutory mandates. Where lawful information reaches the employer or organization, the consequence is a case-specific risk assessment and may include temporary reassignment, suspension from child contact, internal investigation, referral to a regulator or child-protection action. An investigation alone does not constitute a conviction and does not automatically trigger the lifetime statutory conviction bar.

If there is considered to be a danger for the child/children, police and relevant child protection authority would in praxis inform the employer in question.

Cross-border screening

19. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:

    a. professionals

    b. volunteers

    c. persons wishing to become an adoptive parent, a foster parent or a child's legal guardian?

    a. Professionals and b. Volunteers: No general statutory rule requires a separate certificate from every country of previous residence for all sectors. An Icelandic certificate may contain foreign convictions that have been received and entered in the Icelandic register, but it is not a guarantee of complete coverage. A sector, employer or licensing authority may request additional foreign certificates where a lawful and proportionate basis exists. c. Adoption, foster care and legal guardianship: Adoption Regulation No. 1030/2023 requires the District Commissioner to obtain the applicants' criminal-record certificates and permits further necessary documentation; a foreign certificate may therefore be required where relevant to the suitability assessment. No uniform express requirement to obtain a certificate from every former country of residence was identified for foster parents or appointed legal guardians, although the competent authority may seek relevant additional information as part of its assessment.

20. Is there a mechanism to:

    a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings[1] (please specify)

    b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

    There is no single automatic mechanism covering every recruitment, volunteering, adoption, foster-care and guardianship case. a. The candidate may be asked to obtain an official certificate from the former country of residence. A competent Icelandic authority may seek information through applicable treaty, Nordic or police-cooperation channels where the channel and domestic law permit use for that purpose. Article 10 of the Execution of Sentences Act expressly permits the Prison and Probation Administration, with consent, to consult INTERPOL or other foreign-authority information systems. Foreign convictions concerning Icelandic citizens or residents are entered in the Icelandic criminal register when received under Criminal Record Rules No. 680/2009. b. Iceland may provide criminal-record information to a foreign competent authority only where Criminal Record Rules No. 680/2009, another statute or an applicable international instrument authorizes the disclosure. The Rules regulate authority certificates and foreign requests but do not create an unrestricted employment-screening exchange. Data-protection, purpose-limitation and proportionality requirements apply in both directions.

[1] For purposes of recruitment, volunteering, adoption, foster care or guardianship.

21. Is there an obligation to provide data about a person's criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

No general unconditional obligation was identified to provide criminal-record data to another State for recruitment, volunteering, adoption, foster care or guardianship outside criminal proceedings. Iceland must respond where an applicable international agreement or specific domestic provision requires it and the request falls within that instrument's scope. Otherwise, disclosure depends on a lawful basis under Criminal Record Rules No. 680/2009 or other legislation and on data-protection and proportionality requirements; the requesting authority may instead need the person to obtain and submit a certificate.

<u>Additional details and reflections</u>

22. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

    Screening is normally tied to a defined recruitment, assignment or licensing decision and is not a general open-ended clearance. Consent or authorization, direct authority access and a candidate-provided certificate are all used, depending on the statute. The id number provides a stable identifier across name changes. A key practical distinction is between an ordinary personal certificate and a purpose-specific certificate or targeted inquiry available to an authority; decision-makers should use the statutory route designed for the sector and should record consent, purpose and outcome while retaining only the data necessary for the decision.

23. What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child's legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?

    The main practical challenges are the absence of a uniform periodic recheck for most sectors; and reconciling lifetime substantive bans with the shorter disclosure periods of ordinary certificates. Furthermore, proportionality, privacy, record retention, costs and consistent practice for volunteers, minors and self-employed persons also require careful careful consideration with regards to implementation.

24. What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?

    Promising practices include direct, consent-based access to the criminal register by the responsible manager or authority, reducing reliance on unverified self-declarations; use of the id number to prevent name changes from breaking record linkage; explicit inclusion of volunteers in the Youth and Sports Acts; screening of household members aged 15 or over in licensed home childcare and foster care; the foster-care rule requiring refreshed information when more than two years have elapsed; and the Prison and Probation Administration's broader background check, including foreign information systems, repeated at least every five years. The combination of a legal prohibition, targeted access and a documented suitability decision is particularly useful where the ordinary personal certificate would not show the full information lawfully relevant to the role.