

TEMPLATE POLICY PAGE

Category:	Vehicle Crime
Country:	Poland
Year:	/

Main policy page:	/
Relevant legislation:	<p style="text-align: center;">Articles from the Polish Penal Code of 6th June 1997.</p> <p style="text-align: center;">Chapter XXXV Offences against Property</p> <p>Article 278. (<i>Property theft, of which automobile theft</i>) § 1. Whoever, with the purpose of appropriating, wilfully takes someone else's movable property shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years. § 3. In the event that the act is of a lesser significance, the perpetrator shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to one year. § 4. If the theft has been committed to the detriment of a next of kin, the prosecution shall occur upon a motion from the injured person. § 5. The provisions of § 1, 3 and 4 shall be applied accordingly to stealing energy or a card enabling the collection of money from a bank automatic cash dispenser [automatic teller machine].</p> <p>Article 279. (<i>Burglary</i>) § 1. Whoever commits a burglary shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years. § 2. If the burglary has been committed to the detriment of a next of kin, the prosecution shall occur on a motion of the injured person.</p> <p>Article 280. (<i>Robbery</i>) § 1. Whoever commits theft with the use of violence against a person or through threatening the immediate use of violence or by causing a person to become unconscious or helpless shall be subject to the penalty of deprivation of liberty for a term of between 2 and 12 years. § 2. If the perpetrator of a robbery uses a firearm, knife, or any other dangerous item or paralyzing means, or acts in another manner immediately threatening life or acts in co-operation with another person using such a firearm, item or means or manner shall be subject to the penalty of deprivation of liberty for a minimum term of 3 years.</p> <p>Article 281. (<i>Theft with assault</i>) Whoever, with the purpose of maintaining possession of the stolen property, immediately after committing a theft uses violence against a person or threatens its immediate use, or causes a person to become unconscious or</p>

helpless shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years.

Article 282. (*Criminal coercion*)

Whoever, with the purpose of gaining a material benefit, by using violence or threatening the life or health of a person, or threatening a violent attack against property, causes another person to dispose his own property or property of other persons, or causes a person to cease operating their business shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years.

Article 284. (*Appropriation*)

§ 1. Whoever appropriates someone else's movable property or property rights shall be subject to the penalty of deprivation of liberty for up to 3 years.

§ 2. Whoever appropriates a movable property entrusted to him shall be subject to the penalty of deprivation of liberty for a term of between 3 months to 5 years.

§ 3. In the event that the act is of a lesser significance, or appropriation of an item found, the perpetrator shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to one year.

§ 4. If the appropriation has been committed to the detriment of a next of kin, the prosecution shall occur on a motion of the injured person.

Article 286. (*Fraud*)

§ 1. Whoever, with the purpose of gaining a material benefit, causes another person to disadvantageously dispose of his own or someone else's property by misleading him, or by taking advantage of a mistake or inability to adequately understand the action undertaken shall be subject to the penalty of deprivation of liberty for a term of between 6 months and 8 years.

§ 2. The same punishment shall be imposed on anyone, who demands a material benefit in return for an unlawfully acquired item.

§ 3. In the event that the act is of a lesser significance, the perpetrator shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

§ 4. If the act specified in § 1-3 has been committed to the detriment of a next of kin, the prosecution shall occur on a motion of the injured person.

Article 288. (*Devastation, breakage*)

§ 1. Whoever destroys, damages or renders unfit for use an item belonging to someone else shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

§ 2. In the event that the act is of a lesser significance, the perpetrator shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to one year.

§ 4 The prosecution of the offence specified in § 1 or 2 shall occur on a motion of the injured person.

Article 289. (*Wilful short-term theft of an automobile*)

§ 1. Whoever takes a motor vehicle which is someone else's property, with the purpose of using it for a short period of time shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

§ 2. If the perpetrator of the act specified in § 1 disables a security device protecting the vehicle from the use by an unauthorized person, or the vehicle represents a property of considerable value, or if the perpetrator subsequently abandon the vehicle in a damaged condition or in such circumstances that there is a danger that the vehicle, its parts or contents will be lost or damaged, he shall be subject to the penalty of deprivation of liberty for a term of between 6 months and 8 years.

§ 3. If the act specified in § 1 has been perpetrated with the use of violence or threatening the immediate use thereof, or by causing a person to become unconscious or helpless, the perpetrator shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years.

§ 4. In the cases specified in § 1 –3 the court may also decide to impose a fine along with the penalty of deprivation of liberty.

§ 5. If the act specified in § 1 - 3 has been committed to the detriment of the next of kin, the prosecution shall occur on a motion of the injured person.

Article 291. (Handling stolen goods)

§ 1. Whoever acquires property obtained by means of a prohibited act, or assists in its disposition, or receives such property or assists in the concealment thereof shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

§ 2. In the event that the act is of a lesser significance, the perpetrator shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to one year.

Article 292. (Handling stolen goods)

§ 1. Whoever acquires or assists in the disposition of property which he should and could assume, on the basis of the attendant circumstances, to be obtained by means of a prohibited act, or receives such property or assists in the concealment thereof shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

§ 2. If the property referred to in § 1 is of considerable value, the perpetrator shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

Chapter XXXIV

Offence against the Credibility of Documents

Article 270.

§ 1. Whoever, with the purpose of using it as authentic, forges, or counterfeits or alters a document or uses such a document as authentic shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for a term of between 3 months to 5 years.

§ 2. The same punishment shall be imposed on anyone, who fills in a form bearing someone else's signature, contrary to the will of the signatory and to his detriment. or indeed uses such a document.

§ 3. Whoever makes preparations for the offence specified in § 1, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

Article 271.

§ 1. A public official or other person authorised to issue a document,

who certifies an untruth therein, with regard to a circumstance having a legal significance shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

§ 2. In the event that the act is of a lesser significance, the perpetrator shall be subject to a fine or the penalty of restriction of liberty .

§ 3. If the perpetrator commits the act specified in § 1 in order to gain material or personal benefit, he shall be subject to the penalty of deprivation of liberty for a term of between 6 months and 8 years.

Article 272.

Whoever procures an attestation of an untruth by deceitfully misleading a public official or another person authorised to issue such a document shall be subject to the penalty of deprivation of liberty for up to 3 years

Article 273.

Whoever uses the document specified in Article 271 or 272, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

Chapter XXXII Offences against Public Order

Article 258.

§ 1. Whoever participates in an organised group or association having for its purpose the commission of offences shall be subject to the penalty of deprivation of liberty for up to 3 years.

§ 2. If the group or association specified in § 1 has the characteristics of an armed organisation, the perpetrator shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

§ 3. Whoever sets up the group or association specified in § 1 or 2 or leads such a group or association shall be subject to the penalty of deprivation of liberty for a term of between 6 months and 8 years.

Trends:

Crime trends in Poland

Willful short-term theft of automobile

Year	All cases of robbery	Number of perpetrators	Persons abused
2004	10 963	1 422	10 363
2005	8 776	1 425	8 283
2006	6 606	1 275	6 215
2007	5 751	1 348	5 451
2008	5 439	1 510	5 074
2009	5 430	1 462	5 030
2010	4 720	1 231	4 380
2011	4 422	1 185	4 135
2012	4 127	1 142	3 728
2013	3 329	841	2 752
2014	2 977	798	2 379

Contacts:	National organisations: Ministry of Interior and Administration – http://www.mswia.gov.pl/ National Police Headquarters – http://www.policja.gov.pl/ Government programme for containment of crime and anti-social behaviours “Safer Together” http://razembezpieczniej.mswia.gov.pl/ http://eucpn.org/document/polish-crime-prevention-strategy
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Completed template to be sent to the EUCPN Secretariat at eucpn@ibz.eu.