

Finland

Penal Code (excerpts)

Chapter 20 Sexual offences

Section 8 Buying sexual services from a young person

A person who, by promising or giving remuneration persuades a person younger than 18 years of age to have sexual intercourse or to perform another sexual act shall be sentenced for buying sexual services from a young person to a fine or to imprisonment for at most one year.

An attempt is punishable.

Section 9, Pimping

Anyone who for their own or another person's financial gain

- 1) keeps premises where, for remuneration, sexual intercourse or other comparable sexual acts are offered or, in a flagrant way, for obscene sexual acts by a child under the age of 18,
 - 2) as a fixed part of their business accommodates the undertaking of such an act and consequently essentially promotes the act,
 - 3) by distributing contact details or in some other way markets the engagement in an act of this kind by another person, knowing that their action essentially promotes the performance of the act,
 - 4) otherwise takes advantage of the undertaking of such an act by another person or
 - 5) entices or intimidates another to perform such an act
- shall be sentenced to a fine or imprisonment for at most three years for pimping.

Section 9a Aggravated pimping

If in pimping

- 1) the aim is substantial financial gain,
- 2) the offence is committed particularly deliberately,
- 3) serious bodily injury, serious illness or a dangerous situation or particular distress are caused wilfully or through gross negligence to another person or
- 4) the act is directed at a person under the age of 18 and the offence is also aggravated when assessed as a whole, the offender shall be sentenced for aggravated pimping to imprisonment of at least four months and at most six years

An attempt is punishable.

Section 13 Corporate criminal liability

The provisions on corporate criminal liability shall apply to pimping and aggravated pimping.

Chapter 25, Offences against liberty

Section 3 Human trafficking

Anyone who

- 1) by taking advantage of the dependent or unprotected situation of another person,
- 2) by misleading another person or taking advantage of their mistake,
- 3) by paying for persons within another person's power or
- 4) by receiving such a payment

takes another person into their power, recruits another person or hands over, transports, receives or accommodates another person for the purposes of the sexual exploitation referred to in Chapter 20 § 9 (1) (1) or comparable, forced labour or other conditions which are an assault on human dignity or for the removal of organs or tissue for financial gain, shall be sentenced to imprisonment for at least four months and at most six years for human trafficking.

Anyone who takes into their control a person under the age of eighteen or who recruits, hands over, transports, receives or accommodates that person within the meaning of paragraph 1, even though none of the means referred to in points 1 to 4 of the first paragraph were used shall also be sentenced for human trafficking.

An attempt is punishable.

Section 3a Aggravated human trafficking

If in human trafficking

- 1) instead of or in addition to the means referred to in section 3, violence, threats or deception are used,
- 2) serious bodily injury, serious illness or a dangerous situation or particular distress are caused wilfully or through gross negligence to another person or,
- 3) the offence is directed at a child under the age of eighteen or a person whose ability to defend him or herself is substantially diminished or
- 4) the offence was committed in the context of the activities of organised crime referred to in Chapter 17 § 1a(4) and the offence is aggravated also when assessed as a whole, the offender shall be sentenced to imprisonment of at least two and at most ten years for aggravated human trafficking.

Anyone who submits another person to slavery or holds a person in slavery, transports slaves or trades in slaves shall also be sentenced for aggravated human trafficking if the offence is aggravated when assessed as a whole.

An attempt is punishable.

Section 10 Corporate criminal liability

The provisions on corporate criminal liability shall apply to human trafficking and aggravated human trafficking.

Chapter 17,

Section 18 Dissemination of depictions of obscenity

Any person who produces, offers for sale or for rent, exports, imports, carries through Finland to another country or otherwise distributes obscene pictures or visual recordings depicting:

- 1) children,
- 2) violence, or
- 3) bestiality

shall be sentenced to a fine or a maximum of two years imprisonment for dissemination of depictions of obscenity.

Attempts are punishable.

A child is considered to be a person under the age of eighteen or whose age cannot be determined, but who there is reason to assume is under the age of eighteen.

Section 18 a

Dissemination of grossly obscene depictions of children

If in the dissemination of obscene depictions of children,

- 1) the child is particularly young
- 2) the depiction also shows brutal violence or the child being treated in a particularly humiliating manner
- 3) the offence is committed in a particularly deliberate manner or
- 4) the offence is committed by an organised criminal group within the meaning of Section 1 (4)

and the offence is aggravated also when assessed as a whole, the offender shall be sentenced to a fine or at least four months and at most six years imprisonment for distribution of a grossly obscene depiction of a child.

Attempts are punishable.

Section 18 b

Presenting or distributing illegal audiovisual material to minors

Anyone who publicly exhibits or distributes

- 1) to a person under the age of eighteen an audiovisual programme which has not been approved under Section 8 of the Act on the Classification of Audiovisual Programmes for exhibition or distribution,
- 2) an audiovisual programme to a person younger than the classification category required under Section 8 of the above Act, or
- 3) to a person under the age of eighteen an unclassified audiovisual programme which, under Section 8 of the above Act, would have been prohibited or would have been classified for a higher age bracket than that of the person in question if the programme had been classified,

shall be sentenced to a fine or a maximum of six months imprisonment for exhibiting or distributing illegal audiovisual programmes to minors.

Section 19

Possession of obscene pictures of children

Anyone who unlawfully has possession of a photograph, video tape, film or any other virtual visual recording in which a child referred to in Section 18 (4) is shown to be having sexual intercourse or is engaged in sexual behaviour comparable thereto or in any other obviously indecent manner shall be sentenced to a fine or a maximum of one year's imprisonment.

Section 20

Marketing of indecent goods

Anyone who, for the purposes of earning money,

- 1) gives to a person under the age of fifteen
- 2) puts on public display
- 3) delivers unsolicited to another person or
- 4) openly offers for sale or promotes by advertisement, brochure or poster or by other means, in a way causing public offence, an obscene picture, visual recording or object which is conducive to causing public offence

shall be sentenced to a fine or imprisonment for a maximum of six months for unlawful marketing of obscene material.

A sentence for unlawful marketing of obscene material shall also be passed on a person who, in the manner referred to in paragraph (1) (4), offers for sale or promotes an obscene text or sound recording which is conducive to causing public offence.