



# Poland - Rape

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Whoever, by force, illegal threat or deceit subjects another person to sexual intercourse shall be subject to the penalty of the deprivation of liberty for a term of between 2 and 12 years.

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## Legal provisions on protection orders

See Criminal Code, Articles 39 and 41a

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## Legal Source

Criminal Code, Article 197

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## Observations

Special circumstances of rape (in the same legal provision):

- If the perpetrator, in the manner specified in § 1, makes another person submit to other sexual act or to perform such an act, he shall be subject to the penalty of the deprivation of liberty for a term of between 6 months and 8 years.
- If the perpetrator commits the rape 1) in common with another person, 2) against a minor under 15 years of age, 3) against an ascendant, descendant, or a person being adopted, or brother or sister, he shall be subject to the penalty of deprivation of liberty for a minimum term of 3 years.
- If the perpetrator of the crime specified in § 1 - 3 acts with particular cruelty, he shall be subject to the penalty of deprivation of liberty for a minimum term of 5 years.