




# Annex: EU Member States' legislation on irregular entry and stay, as well as facilitation of irregular entry and stay


 Austria		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 120 of the Aliens' Police Act</b> (1) Who enters the Austrian territory as alien unlawfully...	Fine from € 100 to € 1,000. If this fine is irrecoverable an imprisonment of up to 2 weeks is foreseen.
<b>Irregular stay</b>	<b>Article 120 of the Aliens' Police Act</b> (1a) Who stays on the Austrian territory as alien unlawfully...	Fine from € 500 to € 2500. If this fine is irrecoverable an imprisonment of up to 2 weeks is foreseen.
<b>Facilitation of entry</b>	<b>Article 114 of the Aliens' Police Act</b> (1) Who facilitates the unlawful entry or transit of an alien in/through a member state of the European Union or a neighbouring country of Austria with the purpose to enrich oneself or a third person unlawfully  <b>Article 120 of the Aliens' Police Act</b> (3) Who 1. knowingly facilitates the unlawful entry or transit of an alien in/through a member states of the European Union or a neighbouring country of Austria, ...	<b>Article 114 of the Aliens' Police Act</b> Imprisonment of up to two years  <b>Article 120 of the Aliens' Police Act</b> Fine of € 1,000 to € 5,000; in case the fine is irrecoverable an imprisonment of up to three weeks is foreseen.
<b>Facilitation of stay</b>	<b>Article 115 of the Aliens' Police Act</b> (1) Who facilitates the unlawful stay of an alien in/through a member state of the European Union ..., with the purpose to enrich oneself or a third person unlawfully with a not only insignificant fee...  <b>Article 120 of the Aliens' Police Act</b> (3) Who 2. facilitates the unlawful stay of an alien on the territory of a member states of the European Union with the purpose to impede the proceedings for enacting or measures terminating a residence	<b>Article 115 of the Aliens' Police Act</b> Imprisonment of up to 1 year or a fine of up to 360 daily rates (a daily fee ranges from € 4 to € 5,000).  <b>Article 120 of the Aliens' Police Act</b> Fine of € 1,000 to € 5,000; in case the fine is irrecoverable an imprisonment of up to three weeks is foreseen.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<b>Article 120 of the Aliens' Police Act</b> (9) Husbands and wives, registered partners, children and/or parents are exempted from punishment under Article 120(3)  <b>Constitutional Court (Verfassungsgerichtshof, VfGH) (2006), G11/06, 22 June 2006:</b> "... Provision of humanitarian aid without the intention to prevent official measures over a longer time does not meet the elements of the offence."	n/a

 <b>Belgium</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<b>Article 75 of the Immigration Act</b> "With reservation of Article 79, the foreigner who enters or stays in an illegal manner into the Kingdom, will be punished with..."	Imprisonment of 8 days to 3 months and with a fine of € 26 to € 200
<b>Irregular stay</b>	<b>Article 75 of the Immigration Act</b> "With reservation of Article 79, the foreigner who enters or stays in an illegal manner into the Kingdom, will be punished with..."	Imprisonment of 8t days to 3 months and with a fine of € 26 to € 200
<b>Facilitation of entry</b>	<b>Article 77 of the Immigration Act</b> (1) He, who knowingly helps a person who is not a citizen of a Member State of the European Union (EU), to enter, stay or transit will be punished	Imprisonment of 8days to 1 year, and a fine of € 1,700-€ 6,000
<b>Facilitation of stay</b>	<b>Article 77 of the Immigration Act</b> (1) He, who knowingly helps a person who is not a citizen of a Member State of the European Union (EU), to enter, stay or transit will be punished	Imprisonment of 8days to 1 year, and a fine of 1700 -€ 6,000
<b>Renting accommodation</b>	<b>Article 77 of the Immigration Act</b> (2) Para 1 does not apply if the assistance was provided for humanitarian reasons.	n/a
<b>Humanitarian assistance</b>	<b>Article 77 of the Immigration Act</b> (2) Para 1 does not apply if the assistance was provided for humanitarian reasons	n/a




 <b>Bulgaria</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<p><b>Article 279 of the Criminal Code</b> A person who enters or crosses the border of the country without a permit from the respective bodies of the government or, though with a permit, but not through the places specified for that purpose, shall be punished.</p> <p>...</p> <p>(5) No one shall be punished who enters the country to seek asylum in accordance with the Constitution</p>	Imprisonment for up to five years and by a fine ranging BGN 100 to BGN 300 (approx. € 50 to € 150).*
<b>Irregular stay</b>	<p><b>Article 48 (1) of the Act on Foreigners in the Republic of Bulgaria</b> A foreigner shall be punished if:...</p> <p>(3) without the corresponding permission implements working, commercial and other activity; (4) has stayed in the country after the elapse of the term of stay.</p>	Fine ranging BGN 500 to BGN 5,000 (approx. € 250 to € 2,500)
<b>Facilitation of entry</b>	<p><b>Article 280 of the Criminal Code</b> A person who takes across the borders of this country individuals or groups of persons without permission from the respective authorities, or with permission but not through the points designated therefor, shall be punished by deprivation of liberty</p>	Imprisonment from one to 10 years, a fine ranging BGN 1,000 to BGN 3,000 (€ 500 to € 1,500) and confiscation of part of or the entire property of the perpetrator
<b>Facilitation of stay</b>	<p><b>Article 281 of the Criminal Code</b> A person who with the purpose of gaining a material benefit for himself or for another person unlawfully assists a foreigner to reside in the country in violation of the law, shall be punished by a fine.</p>	Fine from BGN 1,000 up to BGN 8,000 (€ 500 to € 4000)
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry</i> <i>Risk for punishment based on rules on facilitation of stay</i>	See above

\*For currency conversion to euros (€), exchange rates of November 2013 were used.


 Croatia		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 42 of the Act on the Monitoring of State Borders</b> He or she crossed or tried to cross the state border outside border crossing points or at the border crossing point outside working hours...	Imprisonment up to 30 days or a fine of HRK 2,000 to HRK 10,000
<b>Irregular stay</b>	<b>Article 222 of the Aliens Act</b> ... alien who: (...) <ol style="list-style-type: none"> <li>2. illegally stays in the Republic of Croatia</li> </ol>	Imprisonment up to 60 days or a fine of HRK 3,000 to HRK 7,000 (approx. € 392–€ 916).* In the case of misdemeanours, the protective measure of expulsion of an alien from the country may be imposed solely, without imposing a fine.
<b>Facilitation of entry</b>	<b>Article 43 of the Alien Act: Prohibition to assist the alien</b> (1) It is forbidden to assist an alien to illegally cross the border, to transit through the territory if the alien has unlawfully entered the Republic of Croatia, and to stay illegally.	<b>Article 225 of the Alien Act</b> A fine in the amount of HRK 23,000 (€ 3,011) for each assisted foreigner and 60 days imprisonment.
<b>Facilitation of stay</b>	<b>Article 43 of the Alien Act: Prohibition to assist the alien</b> (1) It is forbidden to assist an alien to illegally cross the border, to transit through the territory if the alien has unlawfully entered the Republic of Croatia, and to stay illegally.	<b>Article 225 of the Alien Act:</b> 60 days imprisonment and a fine in the amount of HRK 23,000 (€ 3,011) for each assisted foreigner.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry and stay</i>	See above

\* For currency conversion to euros (€), exchange rates of November 2013 were used.




 <b>Cyprus</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<b>Article 19 of the Aliens and Immigration Act</b> (2) Illegal migrant who was found in the Republic is guilty of criminal offence ....	Imprisonment up to 3 years and/or a fine up to CYP 5,000 (€ 8,555)* or both
<b>Irregular stay</b>	<b>Article 19 of the Aliens and Immigration Act</b> (2) Illegal migrant who was found in the Republic is guilty of criminal offence ....	Imprisonment up to 3 years and/or a fine up to CYP 5,000 (€ 8,555) or both
<b>Facilitation of entry</b>	<b>Article 19A of the Aliens and Immigration Act</b> (1) A person who intentionally helps a third country national to enter or pass... commits a criminal offence and, if persecuted, he is punished...	Imprisonment up to 8 years and/or a fine up to CYP 20,000 (€ 34,220).
<b>Facilitation of stay</b>	<b>Article 19A of the Aliens and Immigration Act</b> (2) A person who intentionally and for making profit helps a third country national to stay commits a criminal offence and, if persecuted, he is punished	Imprisonment up to 8 years and/or a fine up to CYP 20,000 (€ 34,220).
<b>Renting accommodation</b>	<b>Article 19 (5) of the Immigration and Aliens Act</b> The landlord or/and the responsible or/and the owner of a house or/and other property located at the areas controlled by the government of the Republic who with his knowledge and with payment or/and with contract allows this house or/and property to be used as a residence place for a foreigner who is not legally residing at the Republic, is guilty of a criminal offence	Imprisonment up to 18 months and/or a fine up to CYP 4,000 (€ 6,844)
<b>Humanitarian assistance</b>	<i>No punishment based on the rules on facilitation of entry and stay (punishing for profit only)</i>	See above

\*For currency conversion to euros (€), exchange rates of November 2013 were used.


 <b>Czech Republic</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<b>Article 156 of the Act on Residence of Foreign Nationals in the territory of the Czech Republic</b> (1) A foreign national shall commit a minor administrative offence by a) crossing the national border otherwise than through an official border crossing point	A foreigner maybe fined from CZK 3,000 (€ 120) to CZK 10,000 (€ 400)*
<b>Irregular stay</b>	<b>Article 156 of the Act on Residence of Foreign Nationals in the territory of the Czech Republic</b> (1) A foreign national shall commit a minor administrative offence by... (l) staying in the Czech Republic after expiration of the validity of a visa or the period of residence defined in a visa or without any visa without being authorised to do so;	A foreigner maybe fined from CZK 3,000 (€ 120) to CZK 10,000 (€ 400)
<b>Facilitation of entry</b>	<b>Article 340 of the Criminal Code</b> A person who organizes for another person or enables such person to make an illegal crossing of the (Czech) state border	Imprisonment for a term for up to two years or by prohibition to continue professional activity
<b>Facilitation of stay</b>	<b>Article 341 of the Criminal Code</b> <b>Abetting with the illegal stay on the territory of the Czech Republic</b> A person who, intending to gain an unjustified possessive or other benefit, facilitate another person an unauthorized stay on the Czech republic territory, shall be punished	Imprisonment up to one year or by prohibition to continue professional activity
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	A physical person providing accommodation to a foreigner in conflict with Articles 100, 101 or Article 102 section 4 of Act on Residence of Foreign Nationals may be fined up to CZK 50,000 (€ 2,000).
<b>Humanitarian assistance</b>	- <i>Risk for punishment based on rules on facilitation of entry</i> - <i>No punishment based on the rules on facilitation of stay (punishing for profit only)</i>	See above

\* For currency conversion to euros (€), exchange rates of November 2013 were used.




 Denmark		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Section 59 (1) of the Aliens Act</b> (i) enters or departs at points other than those designated as passport check-points...	Fine or imprisonment for up to 6 months
<b>Irregular stay</b>	<b>Section 59 (1) of the Aliens Act</b> (ii) stays in Denmark without the requisite permit	Fine or imprisonment for up to 6 months
<b>Facilitation of entry</b>	<b>Section 59 (7) of the Aliens Act</b> if he: (i) intentionally assists an alien in unlawfully entering or transiting Denmark	Fine of DKK 2,000, (€ 268) rising by DKK 500 (€ 67) for each month beyond the first month to a maximum of DKK 5,000 (€ 670),* or imprisonment for up to 2 years
<b>Facilitation of stay</b>	<b>Section 59 (7) of the Aliens Act</b> if he: (ii) intentionally assists an alien in unlawfully staying in Denmark	Fine of DKK 2,000 (€ 268), rising by DKK 500 (€ 67) for each month beyond the first month to a maximum of DKK 5,000 (€ 670), or imprisonment for up to 2 years
<b>Renting accommodation</b>	<b>Section 59 (7) of the Aliens Act</b> If: (vi) by making shelter or means of transport available to an alien, intentionally assists the alien in working in Denmark without the requisite permit	Fine of DKK 2,000 (€ 268), rising by DKK 500 (€ 67) for each month beyond the first month to a maximum of DKK 5,000 (€ 670), or imprisonment for up to 2 years
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry and stay</i>	According to the Danish Criminal Code Section 83, the penalty may be reduced or dropped when information about the offence, the offender or other important factors speaks for this. See case U2012.1974Ø, the High Court, 29 February 2012.


\* For currency conversion to euros (€), exchange rates of November 2013 were used.

 Estonia		
	Legislation	Punishment
Irregular entry	<b>Article 17<sup>1</sup> of the State Borders Act</b> Violation of the border regime is punishable	<b>Article 17<sup>1</sup> of the State Borders Act</b> Fine
	<b>Article 17<sup>2</sup> of the State Borders Act</b> Illegal crossing of the state border or a temporary control line of the Republic of Estonia is punishable	<b>Article 17<sup>2</sup> of the State Borders Act</b> Fine of up to 200 fine units or by imprisonment
Irregular stay	<b>Article 298 of the Aliens Act</b> Stay of an alien in Estonia without a legal basis is punishable	<b>Penal Code §47 (1)</b> Fine up to 300 fine units or by detention. (A fine unit is equal to € 4)
Facilitation of entry	<b>Article 259 of the Penal Code</b> (1) Illegal transportation of an alien across the state border or temporary border line of the Republic of Estonia is punishable	Fine or up to one year of imprisonment
Facilitation of stay	Only provision of housing punished, see below.	See below
Renting accommodation	<b>Article 305 Aliens Act</b> <b>Provision of housing for alien staying in Estonia without legal basis</b> (1) The entry into a residential lease contract with an alien staying in Estonia without a legal basis or provision of housing to him or her, except accommodation of an alien in an accommodation establishment, is punishable	Fine of up to 300 fine units.
Humanitarian assistance	<i>Risk for punishment based on rules on facilitation of entry and stay (housing only)</i>	See above







 Finland		
	Legislation	Punishment
<b>Irregular entry</b>	<p><b>Chapter 17, Section 7 of the Criminal Code</b>            (1) A person who            (1) crosses the border of Finland without a valid passport or another travel document, or otherwise than from a legal point of departure or to a legal point of arrival, or contrary to a statutory prohibition, or attempts the same shall be sentenced for a border offence...            (2) A foreigner who ...seeks asylum or applies for a residence permit as a refugee in Finland shall not be sentenced to a border offence.</p> <p><b>Chapter 17, Section 7a of the Criminal Code</b>            Petty border offence (756/2000)            (1) If the border offence, in view of the short duration of the unauthorised stay or movement, the nature of the prohibited act, or the other circumstances of the offence is petty when assessed as a whole, the offender shall be sentenced for a petty border offence to a fine.</p>	A fine or imprisonment for at most one year.
<b>Irregular stay</b>	<p><b>Section 185 of the Aliens Act</b>            (1) An alien who            1) deliberately resides in the country without the required travel document, visa or residence permit, or through negligence fails to comply with the obligation to register his or her residence or apply for a residence card or permanent residence card;            (...)            shall be sentenced to a fine for a violation of the Aliens Act.</p>	<p><b>Chapter 2(a), Section 1 of the Criminal Code</b>            Fine (A day fine is one sixtieth of the average monthly income of the person fined. The minimum is one day fine and the maximum is 120.)</p>
<b>Facilitation of entry</b>	<p><b>Chapter 17, Section 8 of the Criminal Code</b>            (1) A person who            (1) brings or attempts to bring to or transport through Finland a foreigner without a valid passport, other travel documents, a visa or a residence permit,            (2) arranges or, as an intermediary, provides transportation for a foreigner referred to in paragraph 1 to Finland or            (3) gives to another person a passport, other travel documents, a visa or a residence permit that is false, forged or issued to someone else for use to enter the country, shall be sentenced for arrangement of illegal immigration.</p>	Fine or imprisonment for at most two years
<b>Facilitation of stay</b>	<p><b>Chapter 5, Article 6 of the Criminal Code</b>            (1) A person who, before or during the commission of an offence, intentionally furthers the commission by another of an intentional act or of its punishable attempt, through advice, action or otherwise...  <b>(abetting) in conjunction with Article 185 (1) (1) of the Aliens Act</b></p>	Sentencing for abetting on the basis of the same legal provision as the perpetrator. Proportional sentences measured against the penalties of the main offence.
<b>Renting accommodation</b>	<p><b>Article 305 of the Aliens Act</b>  <b>Provision of housing for alien staying in Estonia without legal basis</b>            (1) The entry into a residential lease contract with an alien staying in Estonia without a legal basis or provision of housing to him or her, except accommodation of an alien in an accommodation establishment, is punishable</p>	Fine of up to 300 fine units
<b>Humanitarian assistance</b>	<p><b>Chapter 17, Section 8 of the Criminal Code</b>            An act which, when taking into account in particular the motives of the person committing it and the circumstances pertaining to the safety of the foreigner in his or her home country or country of permanent residence, and when assessed as a whole, is to be deemed committed under vindicating circumstances, does not constitute arrangement of illegal immigration.</p>	See above

 France		
	Legislation	Punishment
<b>Irregular entry</b>	<p><b>Article L621-2A of the Code of Entry and Stay of Aliens and Right of Asylum (CESEDA)</b>                      Sentence...may be imposed on any non-national who is not a citizen of an EU Member State who:                      1) enters France without having been admitted to the territory under points (a) and (c) of paragraph 4 of Article 5 of this Regulation [the Schengen Borders Code]</p>	A fine of € 3,750 and 1 year imprisonment.
<b>Irregular stay</b>	The law of 31 December 2012 deleted the provisions on irregular stay. (L. n°2012-1560, 31 déc. 2012, art.8 : JO, 1er janv.2013)	n/a
<b>Facilitation of entry</b>	<p><b>Article L622-1 of the CESEDA</b>                      1: Subject to the exemptions provided for in Article L. 622-4, any person who directly or indirectly assists or attempts to assist the entry, movement or residence of an irregular non-national in France is punished</p>	A fine of € 30,000 and 5 years imprisonment.
<b>Facilitation of stay</b>	<p><b>Article L622-1 of the CESEDA</b>                      1: Subject to the exemptions provided for in Article L. 622-4, any person who directly or indirectly assists or attempts to assist the entry, movement or residence of an irregular non-national in France is punished</p>	A fine of € 30,000 and 5 years imprisonment.
<b>Renting accommodation</b>	<i>Risk for punishment based on the rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<p><i>Risk for punishment based on rules on facilitation of entry</i>  <b>Article L. 622-4 of the CESEDA</b>                      ...assisting an irregular non-national to stay illegally in France will not give rise to criminal prosecution on the basis of Articles L. 622-1... when the assistance is provided by                      1)ascendants or descendants of the non-national or his/her spouse, brothers or sisters of the non-national or his/her spouse;                      2) the spouse of the non-national, or a person who cohabits with the non-national, or the parents, children, brothers or sisters of the spouse of the non-national or of the person who cohabits with the non-national;                      3) any person who provides legal advice or the provision of food, accommodation or medical care to ensure dignified and decent living conditions for the non-national, or any other assistance to preserve the dignity or the health and well-being of the non-national, providing that this assistance does not given rise to any direct or indirect compensation.</p>	See above




 <b>Germany</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<b>Residence Act, Section 95 para. 1 no. 3</b> (1) Any person who enters the Federal territory in contravention of Section 14 (1), nos. 1 or 2, (...) shall be punishable	Imprisonment up to one year or a fine.
<b>Irregular stay</b>	<b>Residence Act, Section 95</b> (1) Any person who 1. resides in the Federal territory in contravention of Section 3 (1) in connection with Section 48 (2), 2. resides in the Federal territory without a necessary residence title pursuant to Section 4 (1), sentence 1, shall be punishable	Imprisonment up to one year or a fine
<b>Facilitation of entry</b>	<b>Section 96 of the Residence Act</b> 1) Anyone who 1. incites another person to commit an act pursuant to Section 95 (1), no. 3 or (2), no. 1, letter a and a) receives a pecuniary advantage or the promise of a pecuniary advantage in return or b) acts in such a manner repeatedly or for the benefit of several foreigners or 2. incites another person to commit an act pursuant to Section 95 (1), no. 1 or no. 2, (1a) or (2), no. 1, letter b or no. 2 and receives a pecuniary advantage or the promise of a pecuniary advantage in return	Imprisonment up to five years or a fine
<b>Facilitation of stay</b>	<b>Section 96 of the Residence Act</b> (1) Anyone who 1. incites another person to commit an act pursuant to Section 95 (1), no. 3 or (2), no. 1, letter a and a) receives a pecuniary advantage or the promise of a pecuniary advantage in return or b) acts in such a manner repeatedly or for the benefit of several foreigners or 2. incites another person to commit an act pursuant to Section 95 (1), no. 1 or no. 2, (1a) or (2), no. 1, letter b or no. 2 and receives a pecuniary advantage or the promise of a pecuniary advantage in return	Imprisonment up to five years or a fine
<b>Renting accommodation</b>	<i>Risk for punishment based on the rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on the rules on facilitation of entry</i> "Allgemeine Verwaltungsvorschrift" <sup>1</sup> to the Residence Act, issued by the Federal Ministry of the Interior (amended in 2009). Persons who act within the scope of their specific professional or honorary duties shall not be punished under section 96 of the Residence Act	See above


<sup>1</sup> Bundesrat (27.07.2009): Drucksache 669/09, S. 531, Vor. 95.1.4., [www.bundesrat.de/cIn\\_090/SharedDocs/Drucksachen/2009/0601-700/669-09;templated=raw,property=publicationFile.pdf/669-09.pdf](http://www.bundesrat.de/cIn_090/SharedDocs/Drucksachen/2009/0601-700/669-09;templated=raw,property=publicationFile.pdf/669-09.pdf)

 Greece		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 83 of the Immigration Act</b> (1) Third-country nationals who exit or attempt to exit Greece or enter or attempt to enter Greece without legal formalities shall be punished...	Imprisonment of at least three months and a fine of at least € 1,500.
<b>Irregular stay</b>	<b>Article 73 of the Immigration Act</b> (5) Third-country nationals who remain in the country for a period over thirty days after the expiry of their residence permit or who infringes for a period of up to thirty days the duration of the period of residence mentioned in the visa or the entitled period of free residence, as well as the duration of residence provided for in the uniform Schengen visa or the entitled period of free residence in the Single Area shall, on departure, pay.	Four times the deposit fee prescribed for one-year residence permits, but if the period of illegal residence exceeds thirty days, they shall pay eight times the deposit fee prescribed for one-year residence permits. Minors and persons of Greek descent and their spouses, and spouses of EU nationals shall be exempt from the payment of fines.
<b>Facilitation of entry</b>	<b>Article 87 of the Immigration Act</b> (5) Whoever facilitates the entry to or the exit from the Hellenic territory of a third country national, without the required control provided by Article 5, is sentenced.	Imprisonment of up to ten years and a minimum fine of € 20,000.
<b>Facilitation of stay</b>	<b>Article 87 of the Immigration Act</b> (6) Any person who facilitates the illegal residence of a third-country national or obstructs the police investigations aiming at locating, arresting and expelling such national shall be punished	Imprisonment of at least one year and a fine of at least € 5,000
<b>Renting accommodation</b>	<b>Article 87 of the Immigration Act:</b> (3) Properties cannot be leased by third-country nationals who do not hold a passport or other travel document recognized by international conventions or a visa or residence permit	Fine of € 1,500 to € 3,000.
<b>Humanitarian assistance</b>	<b>Article 88 (6) of the Immigration Act</b> (6) The above penalties shall not be imposed in case of rescue of people at sea and in case of carriage of people in need of international protection, as dictated by the international law of the sea. <i>Risk for punishment based on rules on facilitation of stay</i>	See above





 Hungary		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Section 204 of the Petty Offences Act</b> (1) Anyone crossing the borders of Hungary irregularly or in an illegal manner or attempts to do so, commits a petty offence. (2) Anyone violating the rules on travel documents commits a petty offence. (3) The procedure concerning the above paragraphs (1) and (2) fall under the competence of the police.	Fines from HUF 5,000 up to HUF 150,000 (€ 16 up to € 510)*
<b>Irregular stay</b>	<b>Section 208 of the Petty offences Act</b> (1) Anyone violating the rules on reporting foreigners, on registration of foreigners, or on stay of foreigners within the territory of the state, commits a petty offence. (2) The procedure concerning the above paragraph (1) fall under the competence of the police	Fines from HUF 5,000 up to HUF 150,000 (€ 16 up to € 510)
<b>Facilitation of entry</b>	<b>Section 353 of the Criminal Code</b> Illegal Immigrant Smuggling (1) Any person who provides aid to another person for crossing state borders in violation of the relevant statutory provisions is guilty of a felony punishable...	Imprisonment up to 3 years
<b>Facilitation of stay</b>	<b>Section 354 of the Criminal Code</b> Facilitation of Unauthorized Residence (2) Any person who provides aid to a foreign national who is not a citizen of any Member State of the European Union to stay in the territory of any Member State of the European Union for financial gain is guilty of misdemeanour, unless it results in a more severe crime, punishable	Imprisonment up to 2 years
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<b>Section 23 of the Criminal Code</b> Means of Last Resort (1) Any person who engages in conduct to save his own person or property or the person or property of others from an imminent danger that cannot otherwise be prevented, or acts so in the defence of the public interest shall not be prosecuted, provided that the harm caused by the act does not exceed the peril with which he was threatened.  <i>No punishment based on rules on facilitation of stay (punishing for profit only)</i>	n/a

\* For currency conversion to euros (€), exchange rates of November 2013 were used.

 Ireland		
	Legislation	Punishment
<b>Irregular entry</b>	<p><b>Section 4 of the Immigration Act</b>                      (2) A non-national coming by air or sea from a place outside the State shall, on arrival in the State, present himself or herself to an immigration officer and apply for a permission                      ...                      (5) (a) An immigration officer may, on behalf of the Minister, examine a non-national arriving in the State otherwise than by sea or air (referred to subsequently in this subsection as "a non-national to whom this subsection applies") for the purpose of determining whether he or she should be given a permission</p>	Fine up to € 3,000 or to imprisonment up to 12 months or to both.
<b>Irregular stay</b>	<p><b>Section 4 of the Immigration Act</b>                      (2) A non-national coming by air or sea from a place outside the State shall, on arrival in the State, present himself or herself to an immigration officer and apply for a permission                      ...                      (5) (a) An immigration officer may, on behalf of the Minister, examine a non-national arriving in the State otherwise than by sea or air (referred to subsequently in this subsection as "a non-national to whom this subsection applies") for the purpose of determining whether he or she should be given a permission</p>	Fine up to € 3,000 or to imprisonment up to 12 months or to both.
<b>Facilitation of entry</b>	<p><b>Section 2 of the Illegal Immigrants (Trafficking) Act 2000</b>                      (1) A person who organises or knowingly facilitates the entry into the State of a person whom he or she knows or has reasonable cause to believe to be an illegal immigrant or a person who intends to seek asylum shall be guilty of an offence and shall be liable</p> <p><b>Section 2 of the Illegal Immigrants (Trafficking) Act 2000</b>                      (2) Subsection (1) shall not apply—                      (a) to anything done by a person otherwise than for gain, ...</p>	<ul style="list-style-type: none"> <li>• on summary conviction, to a fine up to € 1,950 or to imprisonment up to 12 months or to both;</li> <li>• on conviction on indictment, to a fine or to imprisonment up to 10 years or to both.</li> </ul>
<b>Facilitation of stay</b>	n/a	n/a
<b>Renting accommodation</b>	<i>No punishment based on rules on facilitation of stay</i>	n/a
<b>Humanitarian assistance</b>	<p><b>Section 2 of the Illegal Immigrants (Trafficking) Act 2000</b>                      (2) Subsection (1) shall not apply—                      ...                      (b) to anything done to assist a person seeking asylum by a person in the course of his or her employment by a bona fide organisation if the purposes of that organisation include giving assistance to persons seeking asylum.  <i>No punishment since facilitation of stay is not punished</i></p>	n/a




 Italy		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 10-bis of the Immigration Law, Legislative Decree 286/1998</b> Unless the fact constitutes a more serious crime, the foreigner who enters or stays in the territory of the State ... shall be punished	Fine of € 5,000 up to € 10,000
<b>Irregular stay</b>	<b>Article 10-bis of the Immigration Law, Legislative Decree 286/1998</b> Unless the fact constitutes a more serious crime, the foreigner who enters or stays in the territory of the State ... shall be punished	Fine of € 5,000 up to € 10,000
<b>Facilitation of entry</b>	<b>Article 12 of the Immigration Law, Legislative Decree 92/2008</b> (1) Unless the fact constitutes a more serious crime, whoever, ... promotes, manages, organises, finances, or transports foreigners in the territory of the State or commits other acts meant to ensure illegal entry into the territory of the State, or of another State of which the person is not a citizen or has no permanent residence, shall be punished	Fine of € 15,000 for each person and imprisonment from 1 to 5 years.
<b>Facilitation of stay</b>	<b>Article 12 of the Immigration Law, Legislative Decree 94/2009 'Regulations on public security'</b> (5)... whoever, in order to take <u>unfair advantage</u> of the illegal status of a foreigner or in the context of the activities punishable under this article, favours the stay of a foreigner in the territory of the State... shall be punished	Fine of up to 30 million lire (€ 15,494) and imprisonment up to 4 years.
<b>Renting accommodation</b>	<b>Article 12 of the Immigration Act</b> (5 bis) Unless the fact constitutes a more serious crime, whoever on payment and in order to take <u>unfair advantage</u> , offers accommodation or rents a property to a foreigner without a stay permit at the time of signing or renewal of the contract, shall be punished	Imprisonment from 6 months to 3 years
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry</i> <b>Article 12 of the Immigration Law</b> (2) ..., relief efforts and humanitarian assistance offered in Italy to foreigners in need, irrespective of their stay status in the territory of the State, do not constitute crimes.	See above

 Latvia		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 284 of the Criminal Law</b> (1) For a person who intentionally commits illegal crossing of the State border, the applicable punishment is...	<b>Articles 38, 40, 41(2)(1) and 284 of the Criminal Law</b> A fine up to LVL 30,000 (€ 43,000)*, imprisonment up to 2 years, or community service.
<b>Irregular stay</b>	<b>Article 190<sup>(13)</sup> of the Administrative Violations Code</b> In the case of residing in the Republic of Latvia without a valid visa, residence permit or valid travel documents....	<b>Article 23 (1)(2) of the Administrative Violations Code</b> Warning or a fine up to LVL 250 (€ 355).
<b>Facilitation of entry</b>	<b>Article 285 of the Criminal Law. Illegal Movement of a Person Across the State Border</b> (1) For a person who commits illegal movement of a person across the State border, the applicable punishment is	<b>Articles 38, 40, 41(2)(1) and Article 285 of the Criminal Law</b> A fine up to LVL 40,000 (€ 57,000), imprisonment up to 7 years, or community service.
<b>Facilitation of stay</b>	<b>Article 190<sup>14</sup> of the Administrative Violations Code. Provision of an Opportunity to Reside Illegally in the Republic of Latvia</b> In the case of providing a person with an opportunity to reside illegally in the Republic of Latvia	<b>Article 23 (1)(2) of the Administrative Violations Code</b> A fine from LVL 30 (€ 43) up to LVL 150 (€ 214).
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry and stay</i>	See above

\* For currency conversion to euros (€), exchange rates of November 2013 were used.







 Lithuania		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 291 of the Criminal Code</b> (1) A person who illegally crosses the state border of the Republic of Lithuania shall be punished...	Fine or by arrest or imprisonment up to 2 years.
<b>Irregular stay</b>	<b>Article 206 of Lithuanian Republic Code of Administrative Offences</b> Violation of the regulation governing the order of entry into the Republic of Lithuania, stay and residence, transit through or departure from it of aliens – is punishable	Warning or by a fine of LTL 250 (€ 73) up to LTL 1,000 (€ 289).*
<b>Facilitation of entry</b>	<b>Article 292 of the Criminal Code Unlawful Transportation of Persons across the State Border</b> (1) A person who unlawfully transports across the state border of the Republic of Lithuania an alien not having a permanent place of residence in the Republic of Lithuania or transports or conceals in the territory of the Republic of Lithuania such an alien who has illegally crossed the state border of the Republic of Lithuania shall be punished...	Fine or by arrest or imprisonment up to 6 years
<b>Facilitation of stay</b>	Only provision of housing punished, see below.	See below
<b>Renting accommodation</b>	<b>Article 206<sup>2</sup> of Lithuanian Republic Code of Administrative Offences.</b> Granting residential plots to foreigners who do not have a passport or an equivalent travel document ...is punishable...	Fine from LTL 250 (€ 73) to LTL 2,000 (€ 579).
<b>Humanitarian assistance</b>	<b>Article 31 of Criminal Code Immediate Necessity</b> (1) A person shall not be held liable under the criminal law for an act committed in an attempt to avert the danger which threatens him, other persons or their rights, public or state interests, where this danger could not have been averted by other means and where the damage caused is less than the damage attempted to be averted.  <b>Article 15 of State border and its protection law</b> Border crossing procedures are not considered violations in the cases which originated due to unforeseen circumstances: accidents, natural disasters, threat for the vessel (aircraft) security, a faulty vessel towing, emergency medical aid, rescued people delivery or other involuntary reasons.  <b>Article 17 of Lithuanian Republic Code of Administrative Offences Immediate Necessity</b> The act is not considered as an administrative offence, which is provided in this code or in other normative acts of administrative offences, but which was committed in a state of necessity, attempting to avert the danger which threatens state or public order, property, citizen' rights and freedoms or government order, where this danger, under this circumstances, could not have been averted by other means and where the damage caused is less than the averted damage.	n/a

\* For currency conversion to euros (€), exchange rates of November 2013 were used.


 Luxembourg		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 140 of the Immigration Law</b> Any foreigner who has entered, or stayed on Luxembourgish territory without having fulfilled the legal conditions for doing so, or having overstayed his authorised stay will be sentenced	Fine from € 251 to € 1,250 and/or 8 days to 1 year in prison.
<b>Irregular stay</b>	<b>Article 140 of the Immigration Law</b> Any foreigner who has entered, or stayed on Luxembourgish territory without having fulfilled the legal conditions for doing so, or having overstayed his authorised stay will be sentenced	Fine from € 251 to € 1,250 and/or 8 days to 1 year in prison.
<b>Facilitation of entry</b>	<b>Art. 382-4. of the Criminal Code</b> A person directly or indirectly facilitating illegal entry or transit, .... will be sentenced...	Fine from € 10,000 up to € 50,000 and/or 3 to 5 years in prison.
<b>Facilitation of stay</b>	<b>Art. 382-4. of the Criminal Code</b> A person directly or indirectly facilitating the stay of a third-country national with a lucrative goal .... will be sentenced...	Fine from € 10,000 up to € 50,000 and/or 3 to 5 years in prison.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>No punishment based on rules on facilitation of entry and stay (punishing for profit only)</i>	See above




 <b>Malta</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<b>Article 5 of the Immigration Act</b> (1) Any person, other than one having the right of entry, or of entry and residence, or of movement or transit under the preceding parts, may be refused entry, and if he lands or is in Malta without leave from the Principal Immigration Officer, he shall be a prohibited immigrant'	No, but return procedure will be initiated.
<b>Irregular stay</b>	<b>Article 5 of the Immigration Act</b> (1) Any person, other than one having the right of entry, or of entry and residence, or of movement or transit under the preceding Parts, may be refused entry, and if he lands or is in Malta without leave from the Principal Immigration Officer, he shall be a prohibited immigrant	No, but return procedure will be initiated.
<b>Facilitation of entry</b>	<b>Article 32 (1) of the Immigration Act</b> (1) Any person who (a) aids or assists any person to land or attempt to land in Malta, or to reside in Malta, contrary to the provisions of this Act, or any person to land or attempt to land, or to reside in, or to leave any other State contrary to the law on entry, residence and exit of that State, or conceals or harbours any person whom he knows, or has reasonable ground for believing, to be in Malta contrary to the provisions of this Act; ... shall be guilty of an offence	Fine up to € 11,646.87 and/or to imprisonment up to 2 years.
<b>Facilitation of stay</b>	<b>Article 32 (1) of the Immigration Act</b> (1) Any person who a) aids or assists any person to land or attempt to land in Malta, or to reside in Malta, contrary to the provisions of this Act, or any person to land or attempt to land, or to reside in, or to leave any other State contrary to the law on entry, residence and exit of that State, or conceals or harbours any person whom he knows, or has reasonable ground for believing, to be in Malta contrary to the provisions of this Act; ...shall be guilty of an offence	Fine up to € 11,646.87 and/or to imprisonment up to 2 years.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry</i> <b>Article 32 of the Immigration Act</b> (2) The provisions of the last preceding sub-article shall not apply to a person who conceals or harbors a person who is that person's descendant, ascendant, spouse, brother or sister, for a period not in excess of seven days	See above

 Netherlands		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 108 of the Aliens Act</b> Any person who infringes a regulation laid down...	<b>Article 23 (4) of the Penal Code</b> A fine of category 2, up to € 3,900.
<b>Irregular stay</b>	<b>Article 197 of the Criminal Code</b> An alien residing in the Netherlands, while he knows or has serious reason to suspect that he has been declared an undesired alien under a legal provision, or he has been issued an entry ban in accordance with Article 66a(7) ....shall be punished...  <b>Article 66 of the Aliens Act</b> (1) Our Minister issues an entry ban against a foreigner and ...and: 7)... the foreigner towards whom an entry-ban is in force, cannot stay legally in the Netherlands, in case the foreigner: a) Is condemned with an irrevocable judicial sentence for a crime against which an imprisonment of three years or more is prescribed,...b) Constitutes a danger for public order or national security;...  <b>Article 67 of the Aliens Act</b> (1) An alien may be declared by our Minister to be an undesired alien: (a) if he is not lawfully resident in the Netherlands and has repeatedly committed an act that constitutes an offence under this Act; (b) if he has been convicted by final judgment of a court for an indictable offence that carries a term of imprisonment of three or more years or has been given a non-punitive order within the meaning of article 37a of the Criminal Code for such an offence; (c) if he is resident in the Netherlands other than on the grounds of section 8, (a) to (e) or (l), and he constitutes a threat to public order or national security; (d) pursuant to a treaty, or (e) in the interests of the international relations of the Netherlands.	<b>Article 23 (4) of the Penal Code</b> A fine of category 3, up to € 7,800 or imprisonment of up to 6 months
<b>Facilitation of entry</b>	<b>Article 197A of the Criminal Code</b> (1) He who assists another person in gaining access to or transit through the Netherlands, another Member State of the European Union ... or who provides the other person the opportunity, means or information to do so, while he knows or has serious grounds to suspect that such access or transit is unlawful, shall be guilty of smuggling...	A fine of the 5th category, up to € 78,000 or imprisonment of up to 4 years
<b>Facilitation of stay</b>	<b>Article 197A of the Criminal Code</b> 2) He who assists another person for financial gain in obtaining residence in the Netherlands, ... or provides him the opportunity, means or information to do so, while he knows or has serious grounds to suspect that that stay is unlawful, shall be punished	A fine of the 5th category, up to € 78,000 or imprisonment of up to 4 years
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above.
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry No punishment based on rules on facilitation of stay (punishing for profit only)</i>	See above.




 <b>Poland</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<b>Article 49a of the Petty Offences Code</b> (1) Whoever crosses the border of the Republic of Poland in violation of the law is subject to a fine	<b>Article 24 (1) of the Petty Offences Code</b> Fine is from PLN 20 (€ 4.75) to PLN 5,000 (€ 1,188).*
<b>Irregular stay</b>	<b>Article 148 of the Aliens Act</b> (1) Whoever: 1) resides on the territory of the Republic of Poland without the required authorisation; (...) shall be liable to a fine.	<b>Article 24 (1) of the Petty Offences Code</b> Fine is from PLN 20 to PLN 5,000.
<b>Facilitation of entry</b>	<b>Article 264 of the Criminal Code</b> (3)Whoever organizes the crossing of the border of the Republic of Poland for other persons, in violation of the relevant regulations shall be subject to a penalty of...	Imprisonment from 6 months up to 8 years.
<b>Facilitation of stay</b>	<b>Article 264a of the Criminal Code</b> (1) Who, in order to achieve financial or personal gain, enables or facilitates another person to stay on Polish territory in violation of the relevant regulations shall be subject to a penalty of... (2) In exceptional cases where the offender has not reached financial benefits, the court may apply extraordinary mitigation of punishment and even renounce its imposition	Imprisonment from 3 months to 5 years
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry</i> <i>No punishment based on rules on facilitation of stay (punishing for profit only)</i>	See above


\* For currency conversion to euros (€), exchange rates of November 2013 were used.

 <b>Portugal</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<b>Article 138 of the Foreigners Law</b> (1) The third-country national who illegally enters or stays in Portugal will be notified by the Aliens and Border Service ( <i>Serviço de Estrangeiros e Fronteiras - SEF</i> ) to leave Portuguese soil voluntarily with the deadline established for the purpose, between 10 and 20 days.	No, but return procedure will be initiated.
<b>Irregular stay</b>	<b>Article 138 of the Foreigners Law</b> (1) The third-country national who illegally enters or stays in Portugal will be notified by the Aliens and Border Service ( <i>Serviço de Estrangeiros e Fronteiras - SEF</i> ) to leave Portuguese soil voluntarily with the deadline established for the purpose, between 10 and 20 days.	No, but return procedure will be initiated.
<b>Facilitation of entry</b>	<b>Article 183 of the Foreigners Law</b> (1) Whoever aids or abets in any way the illegal entry or transit of a foreign citizen in the national territory, will be punished.	Imprisonment up to 3 years.
<b>Facilitation of stay</b>	<b>Article 183 of the Foreigners Law</b> (2) Whoever aids or abets in any way the illegal entry, stay or transit on Portuguese soil of a third-country national for profit, will be punished	Imprisonment from 1 to 5 years.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>No punishment based on rules on facilitation of entry and stay (punishing for profit only)</i>	n/a




 Romania		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 70 of the Government Emergency Ordinance no. 105/2001 concerning the state border of Romania</b> (1) The act of entering or exiting the country by illegal crossing of state borders represents a criminal offence and shall be punished	Imprisonment from 3 months to 2 years
<b>Irregular stay</b>	<b>Article 134 of the Government Emergency Ordinance no. 194/2002 concerning the aliens regime</b> ... (2) Failure to respect the obligation to leave the Romanian territory after the termination of the right to stay according to article 11. (3) Failure to respect the obligation to announce his/her stay to the territorial competent police unit no later than 3 days after the expiration of the term mentioned in article 12 paragraph ... (12) Failure to respect the obligation to renew the residence permit in accordance with article 110 paragraph	<b>Article 135 of the Government Emergency Ordinance no. 194/2002 concerning aliens regime</b> Fine from RON 200 (€ 45) to RON 1,200 (€ 270)*
<b>Facilitation of entry</b>	<b>Article 71 of the OUG no. 105 of 2001</b> The recruitment, the guidance or the leadership of one or more persons for the purpose of illegal border state crossing, as well as the organisation of these activities constitute the offence of migrant trafficking and shall be punished	Imprisonment from 2 to 7 years.
<b>Facilitation of stay</b>	<b>Article 141 of the OUG no. 194 of 2002 concerning aliens regime</b> The following actions are considered to be contraventions: (...) 16. facilitation, in any form, of the illegal stay of aliens on the territory of Romania.	<b>Article 135 of the OUG no. 194 of 2002 concerning aliens regime</b> Fine from RON 2000 (€ 450) to RON 3,000 (€ 675)
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry and stay</i>	See above


\* For currency conversion to euros (€), exchange rates of November 2013 were used.

 Slovakia		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Article 116 of the Act on Residence of Aliens</b> (1) An administrative offence in the area of border control is committed by that third country national: a) who unlawfully crosses the external border.	Fine up to € 800.
<b>Irregular stay</b>	<b>Article 118 of the Act on Residence of Aliens</b> (1) An administrative offence in the area of residence is committed by that third country national: a) who is unlawfully residing in the Slovak Republic	Fine up to € 1,600.
<b>Facilitation of entry</b>	<b>Article 355 of the Criminal Code</b> (1) Any person who organizes illegal crossing of the State Border of the Slovak Republic, or a transfer through its territory, for a person who is neither a citizen of the Slovak Republic nor a person with permanent residence in the territory of the Slovak Republic, or who enables such activity or aids and abets it, shall be liable...	Imprisonment from 1 year to 5 years
<b>Facilitation of stay</b>	<b>Article 356 of the Criminal Code</b> Any person who, with the intention of obtaining financial or other material benefit for himself or another either directly or indirectly, enables or helps a person, who is neither a citizen of the Slovak Republic nor a person with permanent residence in the territory of the Slovak Republic, to stay in the territory of the Slovak Republic, or get an illegal job, shall be liable...	Imprisonment from 2 to 8 years.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry No punishment based on rules on facilitation of stay (punishing for profit only).</i>	See above







 Slovenia			
	Criminalised	Legislation	Punishment
<b>Irregular entry</b>	Administrative offence	<b>Article 145 of the Aliens Act</b> 1) If an alien enters the Republic of Slovenia illegally, he shall be liable...	Fine from € 500 to € 1,200
<b>Irregular stay</b>	Administrative offence	<b>Article 145 of the Aliens Act</b> (2) An alien shall be liable... in the following circumstances: .... - if he resides in the Republic of Slovenia illegally (Article 60 of this Act).	Fine from € 800 to € 1,200
<b>Facilitation of entry</b>	Administrative offence	<b>Article 146 of the Aliens Act</b> (1) A person who allows or assists an alien to enter, transit or reside in the territory of the Republic of Slovenia.	Fine from € 2,000 to € 4,500
<b>Facilitation of stay</b>	Administrative offence	<b>Article 146 of the Aliens Act</b> (1) A person who allows or assists an alien to enter, transit or reside in the territory of the Republic of Slovenia	Fine from € 2,000 to € 4,500
<b>Renting accommodation</b>	Yes, based on rules on facilitation of stay	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	Yes, based on rules on facilitation of stay	<i>Risk for punishment based on rules on facilitation of entry and stay</i>	See above


 Spain		
	Legislation	Punishment
<b>Irregular entry</b>	<p><b>Article 25 of the Organic Immigration Act</b>                      (1) The foreign national who wishes to enter Spain must do so through those border posts authorized for this purpose and be in possession of a passport or travel document which accredits his identity, and which is considered valid for this purpose under the international agreements subscribed to by Spain and not subject to any express prohibitions.                      ...                      (3) That established in the preceding paragraphs shall not be applicable to foreign nationals who request to exercise the right of asylum at the moment of their entry into Spain, the granting of which is governed by its own specific regulations.                      (4) Entry into Spain by foreign nationals not possessing the requirements established in the preceding paragraphs may be authorized when there exist exceptional reasons of a humanitarian nature, public interest or compliance with commitments acquired by Spain. In these cases, the foreign national shall be provided with the documentation which is established by regulation.</p>	No, but return procedure will be initiated
<b>Irregular stay</b>	<p><b>Article 53of the Organic Immigration Act</b>                      Serious infractions are:                      a) Being in Spanish territory illegally, though not having obtained or for their having expired for more than three months an extension of stay, a residency authorization or analogous documents, when they are required, and provided that the interested party has not applied for their renewal within the time limit specified by regulation.</p>	Fine from € 501 up to € 10,000 (Article 55).
<b>Facilitation of entry</b>	<p><b>Article 318bis of the Criminal Code</b>                      (1) Whoever, directly or indirectly, promotes, favours or facilitates illegal trafficking or clandestine immigration of persons from, in transit and with their destination in Spain, or with their destination in another country in the European Union, shall be punished.</p>	Imprisonment of four to eight years.
<b>Facilitation of stay</b>	<p><b>Article 54 of the Organic Aliens Law</b>                      (1)                      (b) To induce, promote, favour or facilitate for profit, individually or as a part of an organization, clandestine immigration or stay of persons passing through Spain or having Spanish territory as their final destination..</p>	Fine from € 10,001 to € 100,000.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<p><b>Article 54 of the Organic Aliens Law, Very Serious Infractions</b>                      ...                      (3) That established in preceding articles notwithstanding, it shall not be considered an infraction to transport into Spanish territory a foreign national who, having presented without delay a request for asylum, has had this admitted for processing...</p> <p><b>Article 20 of the Criminal Code</b>                      ...                      (5) Whoever, in a state of necessity, in order to avoid damage to himself or others, causes damage to another's legally protected interest or fails to perpetrate a duty, as long as the following requisites concur:                      One. The damage caused is not greater than the damage sought to be prevented;                      Two. That the situation of necessity has not been intentionally provoked by the subject;...</p>	See above



 Sweden		
	Legislation	Punishment
<b>Irregular entry</b>	<b>Chapter 20, Section 4, of the Aliens Act</b> An alien who intentionally passes an outer border under the Schengen Convention in an impermissible way shall be sentenced...	Fine or imprisonment up to 1 year The fines are defined in <b>Penal code, Chapter 25</b>
<b>Irregular stay</b>	<b>Chapter 20, Section 1, of the Aliens Act</b> A fine shall be imposed on an alien who is staying in Sweden intentionally or through negligence without having the prescribed permit and without the alien having applied for such a permit or a person in charge of a preliminary investigation having applied for a temporary residence permit for the alien pursuant to Chapter 5, Section 15.	Fine. The fines are defined in the <b>Penal code, Chapter 25</b>
<b>Facilitation of entry</b>	<b>Chapter 20, Section 8, of the Aliens Act</b> Any person who intentionally assists an alien to unlawfully enter or pass through Sweden, a Member State of the European Union or Iceland, Norway, Switzerland or Liechtenstein shall be sentenced for human smuggling.	Imprisonment up to 2 years.
<b>Facilitation of stay</b>	<b>Chapter 20, Section 7, of the Aliens Act</b> Any person who intentionally assists an alien to remain unlawfully in Sweden, a Member State of the European Union, or Iceland, Norway, Switzerland, or Liechtenstein by hiding the alien or by some other such action shall, if the act has been committed for financial gain...	Imprisonment for up to 2 years or, if there are mitigating circumstances, to a fine.
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay.</i>	See above
<b>Humanitarian assistance</b>	<i>Risk for punishment based on rules on facilitation of entry. No punishment for facilitation of stay (punishing for profit only)</i>	See above

 <b>United Kingdom</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Irregular entry</b>	<p><b>Section 24A of the Immigration Act 1971</b>                      (1) A person who is not a British citizen is guilty of an offence if, by means which include deception by him                      (a) he obtains or seeks to obtain leave to enter or remain in the United Kingdom;...</p>	<ul style="list-style-type: none"> <li>• on summary conviction, imprisonment up to 6 months or to a fine not exceeding the statutory maximum, or to both;</li> <li>• on conviction on indictment, to imprisonment up to 2 years or to a fine, or to both</li> </ul>
<b>Irregular stay</b>	<p><b>Section 24A of the Immigration Act 1971</b>                      (1) A person who is not a British citizen is guilty of an offence if, by means which include deception by him                      (a) he obtains or seeks to obtain leave to enter or remain in the United Kingdom;...</p>	<ul style="list-style-type: none"> <li>• on summary conviction, imprisonment up to 6 months and/or to a fine not exceeding the statutory maximum;</li> <li>• on conviction on indictment, to imprisonment up to 2 years or to a fine, or to both</li> </ul>
<b>Facilitation of entry</b>	<p><b>Section 25 of Immigration Act 1971</b>                      (1) A person commits an offence if he –                      (a) does an act which facilitates the commission of a breach of immigration law by an individual who is not a citizen of the European Union,                      (b) knows or has reasonable cause for believing that the act facilitates the commission of a breach of immigration law by the individual, and                      (c) knows or has reasonable cause for believing that the individual is not a citizen of the European Union.                      (2) In subsection (1) "immigration law" means a law which has effect in a member State and which controls, in respect of some or all persons who are not nationals of the State, entitlement to –                      (a) enter the State,                      (b) transit across the State, or                      (c) be in the State.                      25A (1): A person commits an offence if –                      (a) he knowingly and for gain facilitates the arrival in, or the entry into, the United Kingdom of an individual, and                      (b) he knows or has reasonable cause to believe that the individual is an asylum-seeker....</p>	<ul style="list-style-type: none"> <li>• on summary conviction, to imprisonment up to 6 months, to a fine not exceeding the statutory maximum or to both;</li> <li>• on conviction on indictment, to imprisonment up to 14 years, and/or to a fine</li> </ul>



 <b>United Kingdom</b>		
	<b>Legislation</b>	<b>Punishment</b>
<b>Facilitation of stay</b>	<p><b>Section 25 of Immigration Act 1971</b></p> <p>(1) A person commits an offence if he –</p> <p>(a) does an act which facilitates the commission of a breach of immigration law by an individual who is not a citizen of the European Union,</p> <p>(b) knows or has reasonable cause for believing that the act facilitates the commission of a breach of immigration law by the individual, and</p> <p>(c) knows or has reasonable cause for believing that the individual is not a citizen of the European Union.</p> <p>(2) In subsection (1) "immigration law" means a law which has effect in a member State and which controls, in respect of some or all persons who are not nationals of the State, entitlement to –</p> <p>(a) enter the State,</p> <p>(b) transit across the State, or</p> <p>(c) be in the State.</p> <p>25A (3:)A person commits an offence if he –</p> <p>(a) does an act which assists the individual to arrive in, enter or remain in the United Kingdom,</p> <p>(b) knows or has reasonable cause for believing that the act assists the individual to arrive in, enter or remain in the United Kingdom, and</p> <p>6) A person guilty of an offence under this section shall be liable –</p>	<ul style="list-style-type: none"> <li>• on summary conviction, to imprisonment for up to six months, and/or to a fine not exceeding the statutory maximum or to both.]</li> <li>• on conviction on indictment, to imprisonment up to 14 years, and/or to a fine</li> </ul>
<b>Renting accommodation</b>	<i>Risk for punishment based on rules on facilitation of stay</i>	See above
<b>Humanitarian assistance</b>	<p><b>Section 25A of the Immigration Act 1971</b></p> <p>(3) Subsection (1) does not apply to anything done by a person acting on behalf of an organisation which –</p> <p>(a) aims to assist asylum-seekers, and</p> <p>(b) does not charge for its services</p>	n/a

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