

Fencing

Conduct consisting in the acquisition of an item obtained by means of a prohibited act (most often theft), or providing assistance to another person to sell it, or accepting the item or helping to hide it. Embership may be committed intentionally or unintentionally, depending on whether the fence knows about the criminal origin of the item (intentional fencing), or whether in a specific case he should and could have determined such origin of the item on the basis of the accompanying circumstances, e.g. suspiciously low price, sale without documents or in incomplete condition, etc. Criminal liability for fencing is subject to any person over the age of 17 (general principle of criminal liability) who can be attributed guilt at the time of committing this act (a sane person).