

# Study to support the preparation of an EU instrument to help improve the resilience of our democracies and address the threats of interference in elections through greater transparency in political advertising, and other measures to promote resilient democracy in the EU

## Mapping of national legislation – Sweden

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
<b>I. General information about the national legal framework</b>		
<b>National legal act(s)</b> governing political advertising	<p>Marketing Act (<i>marknadsföringslag</i>, 2008:486)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/marknadsforingslag-2008486_sfs-2008-486">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/marknadsforingslag-2008486_sfs-2008-486</a></p> <p>Radio and Television Act (<i>radio- och tv-lagen</i>, 2010:696)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696</a></p>	<p><b>Please provide an overview of how political advertising is regulated in your Member State:</b></p> <p><i>Which legal act(s) is the principal piece of legislation governing political advertising (e.g. national elections act, specific act on political advertising, media act etc.)? How are they interlinked (e.g. via definitions or other common provisions)?</i></p> <p><i>Please, specify the principal piece of legislation or other regulations, (self-/co-regulatory codes or guidelines) governing <b>online</b> political advertising, if applicable. Please, provide any other relevant legislation and self-regulatory/co-regulatory instruments applicable to political advertising, political campaigning and parties/candidates funding.</i></p> <p>There are no specific legal acts governing political advertising in Sweden.</p> <p>The Marketing Act (<i>marknadsföringslag</i>, 2008:486) governs advertising on a general level. Political advertising is, however, not covered by the definition of advertising, but instead falls within freedom of expression.</p> <p>One of the few legislative acts that mentions political advertising is the Radio and Television Act (<i>radio- och tv-lagen</i>, 2010:696). The two relevant sections in the Act are, however, only applicable to tv and radio stations that adhere to the principle of impartiality, which only</p>

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		covers the main public service broadcasters SVT, SR and UR.
Legal and/or statutory <b>definition</b> of the notion of “ <b>political advertising</b> ” and “ <b>online political advertising</b> ” (if applicable)	N/A	<p><i>Does your national legislation or regulations define political advertising?</i></p> <p><i>Does your national legislation or regulations define <b>online</b> political advertising?</i></p> <p>No</p>
If not applicable, provide <b>other definitions/terms used in the legislation close to the notion of “political advertising”</b>	<p>Radio and Television Act (<i>radio- och tv-lagen</i>, 2010:696)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696</a></p>	<p><i>Examples: “partisan advertising”, “campaign advertising”, “elections advertising and issues based advertising” etc.</i></p> <p><i>Please, specify whether the available definitions apply towards specific actors/persons. (e.g. political parties/candidates, media, civil society, online intermediaries or other service providers etc.).</i></p> <p>Chapter 3 Section 1 defines advertisements (<i>annonser</i>) as commercials or other messages broadcast on behalf of someone else and that aim at promoting a cause or an idea.</p> <p>Chapter 5 Section 6 and Chapter 14 Section 3 deal with opinion advertisements (<i>åsiktsannonsering</i>) and define these as messages broadcast on behalf of someone else and that aim at gaining support for political or religious ideas, or opinions related to the labour market. Messages of this kind also fall within the definition of advertisements in Chapter 3 Section 1.</p>
<b>Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising</b>	N/A	<p><i><u>Has an evaluation of the rules and practices in place for political advertising and/or online political advertising already been carried out and if so, what are the results?</u></i></p> <p><i><u>Further to that, is there any draft legislation currently discussed in your Member State relevant for political advertising and/or online political advertising? If so, please provide a brief overview.</u></i></p>

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		No. During the last national elections, the press discussed the role of political advertising in social media, but there has not been an official inquiry into adopting new legislation. This may be due to the fact of political advertising traditionally falling within freedom of expression, a constitutionally protected right, which therefore does not lend itself to extensive legislation.
<b>II. Political advertising rules during pre-election campaigns</b>		
Definitions of <b>pre-election campaigns in the Member State (if applicable)</b>	N/A	Are pre-election campaigns defined in your Member State? If so, how?  No
National rules on <b>paid political advertising</b> during pre-election campaigns	N/A	Is paid political advertising during pre-election campaigns prohibited or allowed in your Member State? If prohibited, what is the scope of the ban of paid political advertising? In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable? Please, specify whether such rules during pre-election campaigns are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction.  As there are no specific rules, paid political advertising is allowed and there are no general limitations.
National rules on <b>financing of political parties/candidates in relation to political adverts</b>	N/A	Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).  There are no specific rules for adverts.

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National rules on <b>free political advertising (or free airtime)</b> during pre-election campaigns	<p>Road Act (<i>väglag</i>, 1971:948)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vaglag-1971948_sfs-1971-948">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vaglag-1971948_sfs-1971-948</a></p> <p>Act regarding Special Provisions on Street Maintenance and Signage (<i>lag (1998:814) med särskilda bestämmelser om gaturenhållning och skyltning</i>)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1998814-med-sarskilda-bestammelser-om_sfs-1998-814">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1998814-med-sarskilda-bestammelser-om_sfs-1998-814</a></p> <p>Public Order Act (<i>ordningslag</i>, 1993:1617)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/ordningslag-19931617_sfs-1993-1617">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/ordningslag-19931617_sfs-1993-1617</a></p>	<p><i>Are political parties in your Member State allocated free political advertising during pre-election campaigns? If so, on which media is free political advertising granted?</i></p> <p>There are restrictions on where and when parties can display election posters. Details are provided prior to a pre-election campaign by the relevant local authority in the form of local regulations. Generally, political party posters are permitted 5 weeks before an election and should be taken down at the latest a week after the election has taken place.</p> <p>Important to note is that these restrictions exist primarily for reasons other than regulating political advertising. The rules are based on the Road Act, the Act regarding Special Provisions on Street Maintenance and Signage and the Public Order Act and therefore have public order as their main focus. As a result, similar provisions do not exist for different kinds of media.</p>
National rules on political advertising on <b>broadcast media</b> during pre-election campaigns (incl. public service and private broadcasters)	<p>Radio and Television Act (<i>radio- och tv-lagen</i>, 2010:696)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696</a></p>	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media during pre-election campaigns.</i></p> <p>Programs with the requirement of impartiality are not allowed to contain messages broadcast on behalf of someone else and that aim at gaining support for political or religious ideas, or opinions related to the labour market.</p> <p>The relevant provisions are Chapter 5 Section 6 Radio and Television Act for tv programs and Chapter 14 Section 3 for radio programmes. Messages of this kind are also considered advertisements (see Chapter 3 Section 1) according to the second paragraph in both</p>

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		Chapter 5 Section 6 and Chapter 14 Section 3. To the extent broadcasters are allowed to show adverts, political advertisements therefore count towards the maximum permitted minutes of advertising. As stated earlier, in Sweden only public service broadcasters (SVT, SR and UR) fall under the principle of impartiality, as stated in their broadcasting license. In practice, this means that all private Swedish tv and radio stations are not covered by this ban. These provisions apply irrespective of time period.
National rules on political advertising in <b>print media</b> during pre-election campaigns	N/A	<i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i>  As political advertising is considered to fall within freedom of expression no specific rules apply.
National rules on political advertising on <b>online media applicable to political parties</b> , during pre-election campaigns	N/A	<i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i>  Besides the general rules found in the General Data Protection Regulation, there are no specific rules for political advertising.
Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during pre-election campaigns	N/A	<i>Are there any particular rules to online platforms during pre-election campaigns in your Member State?</i>  No
Specific rules relating to <b>“false information”, “fake news” or “disinformation campaigns”</b> during pre-election campaigns	Official Governmental Report SOU 2020:29 (En ny myndighet för att stärka det psykologiska försvaret) <a href="https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2020/05/sou-202029/">https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2020/05/sou-202029/</a>	<i>Are there specific provisions in your Member State about the dissemination of “untrue information”, “false information”, “fake news” or ‘disinformation campaigns’ during pre-election campaigns?</i>  There are no specific legal provisions. However, the Swedish Civil Contingencies Agency, <i>Myndigheten för samhällsskydd och beredskap</i>

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	<p>Countering Information Influence Activities - A handbook for communicators, Swedish Civil Contingencies Agency (MSB), <a href="https://rib.msb.se/filer/pdf/28698.pdf">https://rib.msb.se/filer/pdf/28698.pdf</a></p>	<p>(MSB), has a general coordinating role in Sweden's "psychological defence" (<i>psykologiskt försvar</i>). The idea is to defend against disinformation and ensure Sweden's resilience from outside pressure. In its role MSB is to disseminate knowledge relating to information influence and contribute to preparedness of relevant actors.</p> <p>In response to demand for educational material within the area, MSB published a handbook, <i>Att möta informationspåverkan - handbok för kommunikatörer</i>, in collaboration with Lund University. The handbook is also available in English "<i>Countering Information Influence Activities - A handbook for communicators</i>" and provides concrete tools for understanding, identifying and countering information influence activities. The aim of the handbook, according to MSB is to "assist and support communication specialists in public administration to identify, analyse and counter information influence activities in order to mitigate their impact on society."</p> <p>The handbook includes information on how to counter information influence and suggests different strategies on how to respond, such as fact-based and advocacy-based responses (see p.35-39 of the handbook), and particular considerations for countering influence on social media (p.40-41).</p> <p>Election influence has been identified as one of the threats to Sweden's psychological defence and MSB's role therefore includes countering influence of or interference with elections.</p> <p>For example, ahead of the 2018 election various authorities (MSB, the Election Authority, the Security Police and the Police Authority) collaborated to prepare Sweden for potential attempts at election influence. Although no co-ordinated attack occurred, there were rumours of election fraud and limited attempts at disinformation. (See Governmental report SOU 2020:29 p.139)</p> <p>The future of MSB's role is, however, currently unclear. In May 2020 an inquiry investigating the strengthening of Sweden's psychological defence published an official Governmental report (<i>En ny myndighet för att stärka det psykologiska försvaret</i>, SOU 2020:29), proposing that</p>

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		<p>responsibility for developing and coordinating Sweden's psychological defence be given to a new authority.</p> <p>The Governmental inquiry has not yet led to a formal legislative proposal. However, MSB was critical in their official response to the inquiry (<i>remissvar</i>) over the establishment of a new authority, although agreeing with the underlying proposal to strengthen Sweden's defence. Interestingly, the role was previously held by a separate authority until MSB was created in 2009. (The Psychological Defence Board, <i>Styrelsen för psykologiskt försvar</i>, ceased to exist when it merged with other authorities to create the Civil Contingencies Agency, MSB).</p>
<b>III. Political advertising rules during elections period</b>		
Definitions of <b>elections period in the Member State (if applicable)</b>	N/A	<p><i>How is the elections period defined in your Member State?</i></p> <p>The election period is not defined.</p>
National rules on <b>paid political advertising</b> during elections period	N/A	<p><i>Is paid political advertising during election period prohibited or allowed in your Member State?</i></p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p><i>In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i></p> <p><i>Please, specify whether such rules during elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction (e.g. enforcement of 'silence periods' online)</i></p> <p>No specific rules.</p>
<b>National rules on financing of political parties/candidates in relation to political adverts</b>	N/A	<p><i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p>



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		No specific rules.
National rules on <b>free political advertising (or free airtime)</b> during elections period	Elections Act ( <i>vallag</i> , 2005:837) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vallag-2005837_sfs-2005-837">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vallag-2005837_sfs-2005-837</a>	<i>Are political parties in your Member State allocated free political advertising during elections period?</i>  There are no general provisions on political advertising. Advertising at physical voting stations during an election is prohibited by the Elections Act ( <i>vallag</i> , 2005:837). Chapter 8 Section 3 states that “Propaganda or other activities aimed at influencing or impeding voters in making their choice may not occur at a voting station or in a space adjacent to it”.
National rules on political advertising on <b>broadcast media</b> during elections period (incl. public service and private broadcasters)	Radio and Television Act ( <i>radio- och tv-lagen</i> , 2010:696) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-2010696_sfs-2010-696</a>  Code of Ethics for Press, Radio and Television in Sweden ( <i>Publicitetsregler – etiska regler för press, radio och tv</i> ) <a href="https://medieombudsmannen.se/about-the-media-ombudsman/code-of-ethics-for-press-radio-and-television-in-sweden/">https://medieombudsmannen.se/about-the-media-ombudsman/code-of-ethics-for-press-radio-and-television-in-sweden/</a>	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i>  There are no specific legal provisions. Media coverage during election campaigns is therefore largely unregulated, besides the provisions in the Radio and Television Act (mentioned above). As during the pre-election period (see above), programs with the requirement of impartiality are not allowed to contain messages broadcast on behalf of someone else and that aim at gaining support for political or religious ideas, or opinions related to the labour market.  Where there is non-compliance with these rules, the Authority for Press, Radio and TV ( <i>Myndigheten för press, radio och tv</i> ) can carry out investigations, publish decisions and issue fines (see further below Part VII).  Although not specific to election periods, there are a number of voluntary rules relating to media conduct. For example, the Code of Ethics for Press, Radio and Television in Sweden states a general duty to provide accurate news and correct factual errors. The rules are, however, mainly intended to protection individuals. The Media Ombudsman ( <i>Medieombudsmannen</i> ) can review printed newspapers and magazines, Swedish radio and television broadcasts, and certain



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		<p>online publications.</p> <p>In addition, there are rules of professional conduct published by independent organizations such as the Swedish Union of Journalists (<i>Journalistförbundet</i>). The rules of conduct emphasise correct reporting for the purposes of public confidence and trust in the media. The focus of the rules is on the individual journalist's integrity and the procedure for acquiring material.</p> <p>As mentioned above, public service broadcasters are not allowed to show political advertising. Other Swedish tv and radio stations, such as TV4, can, however, decide themselves whether and to what extent political advertisement is used. As an example, TV4 published general guidelines on opinion advertisements and political advertising (<i>Allmänna bestämmelser om åsiktsannonsering och politisk reklam</i>) in 2018. The guidelines focus on transparency and restrictions on sponsorship by political parties and were used in conjunction with the 2019 EU elections. They are, however, no longer available via the broadcaster's website and it is therefore unclear whether they will be used in the future.</p>
National rules on political advertising in <b>print media</b> during elections period	N/A	<p><i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i></p> <p>There are no specific legal provisions.</p>
National rules on political advertising on <b>online media applicable to political parties</b> , during elections period	N/A	<p><i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i></p> <p>Besides the general rules found in the General Data Protection</p>

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		Regulation, there are no specific rules for political advertising.
Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during elections period	N/A	<p><i>Are there any particular rules to online platforms during elections period in your Member State?</i></p> <p>There are no specific legal provisions.</p>
Specific rules relating to <b>“false information”, “fake news” or “disinformation campaigns”</b> during elections period	Criminal Code ( <i>brottsbalk, 1962:700</i> ) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/brottsbalk-1962700_sfs-1962-700">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/brottsbalk-1962700_sfs-1962-700</a>	<p><i>Are there specific provisions in your Member State about the dissemination of “untrue information”, “false information”, “fake news” or “disinformation campaigns” during elections period?</i></p> <p>There are no specific legal provisions.</p> <p>As during the pre-election period (see above), the Swedish Civil Contingencies Agency (MSB) currently has a coordinating role.</p> <p>Due to the extent of non-regulation, there is a high degree of reliance on voluntary rules, codes of conduct, individual initiatives etc.</p> <p>One example of industry collaboration during the 2018 election campaign was the launch of the website <a href="https://faktiskt.se">faktiskt.se</a> for the purposes of countering disinformation and increasing awareness of source criticism. (The website was closed as planned after the election had taken place.) This was a collaboration between public service broadcasters Sveriges Television (SVT) and Sveriges Radio, and newspapers Dagens Nyheter and Svenska Dagbladet.</p> <p>The Criminal Code (<i>brottsbalk, 1962:700</i>) protects the right to vote and penalises certain acts relating to the voting procedure. This would include providing false information about when or where voting is taking place, or other false information or disinformation. Chapter 17 Section 8 states “A person who, in an election to public office or other exercise of the right to vote in a public matter, tries to impede voting or distort its outcome, or otherwise improperly affect voting, is guilty of improper interference with voting and is sentenced to a fine or imprisonment for at most six months.”</p>
IV. Political advertising rules outside of elections period		

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National rules on <b>paid political advertising</b> outside of elections period	N/A	<p><i>Is paid political advertising during elections period prohibited or allowed in your Member State?</i></p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p><i>If allowed, are there restrictions on paid political advertising?</i></p> <p><i>Please, specify whether such rules outside of elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction.</i></p> <p>Swedish law does not define any election period. There are no specific legal provisions on paid political advertising.</p>
National rules on <b>financing of political parties in relation to political adverts</b>	N/A	<p><i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p> <p>There are no specific legal provisions.</p>
National rules on <b>free political advertising (or free airtime)</b> outside of elections period	N/A	<p><i>Are political parties in your Member State allocated free political advertising outside of elections campaigns?</i></p> <p>There are no specific legal provisions.</p>
National rules on political advertising on <b>broadcast media</b> outside of elections period (incl. public service and private broadcasters)	Radio and Television Act ( <i>radio- och tv-lagen</i> , 2010:696) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--och-tv-lag-</a>	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i></p> <p>Swedish legislation does not stipulate specific time periods. The same rules apply as mentioned previously (see answer for the pre-election</p>

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	2010696_sfs-2010-696	period above).
National rules on political advertising in <b>print media</b> outside of elections period	N/A	<p><i>Please, provide a brief description of the national rules on political advertising in print media outside of elections period</i></p> <p>Swedish legislation does not stipulate specific time periods. The same rules apply as mentioned previously (see answer for the pre-election period above).</p>
National rules on political advertising on online media <b>applicable to political parties</b> , outside of elections period	N/A	<p><i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i></p> <p>Besides the general rules found in the General Data Protection Regulation, there are no specific rules for political advertising.</p>
<b>V. Rules and obligations applicable to online platform operators and intermediaries of political advertising</b>		
Particular rules <b>applicable to online platforms and intermediaries</b> such as social media for political advertising	N/A	<p><i>Are there any particular rules applicable to online platforms in your Member State (e.g. disclosure requirements to users, record-keeping requirements, reporting requirements)?</i></p> <p><i>If so, which are the online platforms operators and other intermediaries concerned by the legislation/guidelines/self-regulatory code?</i></p> <p><i>Are there any particular rules applicable to online platforms to set up means to fight disinformation?</i></p> <p>There are no specific legal provisions. As mentioned above, authorities such as MSB are attempting to fight disinformation but this has not as</p>

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		yet led to any legislative obligations.
<b>VI. Transparency rules for political parties/candidates funding</b>		
Rules on <b>direct public funding<sup>1</sup> to political parties and/or candidates</b>	<p>Act on State Aid for Political Parties (<i>lag (1972:625) om statligt stöd till politiska partier</i>)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1972625-om-statligt-stod-till-politiska_sfs-1972-625">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1972625-om-statligt-stod-till-politiska_sfs-1972-625</a></p> <p>Party Funding Board's (<i>partibidragdsnämnd</i>) Decision on Support for Political Parties 2020  <a href="https://www.riksdagen.se/sv/press/pressmeddelanden/2020/sep/30/partibidragnamndens-beslut-om-stod-till-politiska-partier/">https://www.riksdagen.se/sv/press/pressmeddelanden/2020/sep/30/partibidragnamndens-beslut-om-stod-till-politiska-partier/</a></p> <p>Local Government Act (<i>kommunallag, 2017:725</i>)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/kommunallag-2017725_sfs-2017-725">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/kommunallag-2017725_sfs-2017-725</a></p> <p>Act on Transparency of Party Financing (<i>lag (2018:90) om insyn i finansiering av partier</i>)  <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/insyn-i-finansiering-av-partier_lag-201890_sfs-2018-90">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/insyn-i-finansiering-av-partier_lag-201890_sfs-2018-90</a></p>	<p><i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i></p> <p>Direct public funding is primarily regulated in the Act on State Aid for Political Parties (<i>lag (1972:625) om statligt stöd till politiska partier</i>). Funding is given to parties that participate in Parliamentary elections. The amount of funding is directly proportionate to the number of mandates received by the party (Section 2). The Party Funding Board (<i>partibidragdsnämnd</i>) ultimately determines the amount of state aid.</p> <p>State support is the largest source of income for political parties, which means they are not dependent on individual contributions. In 2020 a total of approximately 168 million SEK was given to political parties, with the two main parties receiving ca. 40 million SEK and ca. 30 million SEK respectively. There is no general oversight on how the parties spend the state aid.</p> <p>Additional public funding is allocated by the Party Funding Board to the political parties' women's organisations, totaling approximately 15 million SEK annually.</p> <p>In addition to funding at the national level, municipalities and regions are permitted, but do not have an obligation, to provide funding to political parties. This support is regulated in the Local Government Act (<i>kommunallag, 2017:725</i>). As the rules on state aid, funding is given to parties that are represented (Chapter 4 Section 29). The support given cannot unduly benefit or disadvantage a particular party (Chapter 4</p>

<sup>1</sup> Public funding refers to funds or resources provided by the State/Government to political parties and/or candidates. Depending on the form in which public resources are made available, public funding is divided into direct public funding or indirect public funding. Direct public funding corresponds to the allocation of direct public funds to political parties and/or candidates in the form of money, usually as bank transfers but at times in cash or cheque. See more information at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/default>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self/co-regulatory codes or guidelines</u>	Summary of the rules
	<p><a href="https://forfattningssamling.lag-201890-om-insyn-i-finansiering-av-partier_sfs-2018-90">forfattningssamling/lag-201890-om-insyn-i-finansiering-av-partier_sfs-2018-90</a></p> <p>The Riksdag Act (<i>riksdagsordning</i> (2014:801)) <a href="https://riksdagen.se/globalassets/07.-dokument--lagar/the-riksdag-act-2015.pdf">https://riksdagen.se/globalassets/07.-dokument--lagar/the-riksdag-act-2015.pdf</a></p> <p>Act concerning the registration of MPs' commitments and financial interests (<i>lag</i> (1996:810) <i>om registrering av riksdagsledamöters åtaganden och ekonomiska intressen</i>) <a href="https://riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1996810-om-registrering-av_sfs-1996-810">https://riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1996810-om-registrering-av_sfs-1996-810</a></p>	<p>Section 30). Parties that receive funding must submit an annual report showing that the funding has been used for the purposes for which it was granted, namely strengthening the party's position in local democracy (Chapter 4 Section 31). Municipalities that provide party support are required to publish information on their websites on which parties have received support along with the respective amounts, in accordance with Section 28 Act on Transparency of Party Financing (<i>lag</i> (2018:90) <i>om insyn i finansiering av partier</i>).</p> <p>When it comes to members of parliament, Chapter 5 Section 2 Riksdag Act stipulates that members have a right to be compensated for their work by public funds. The section also refers to another Act that deals with disclosure of the financial interests of members of parliament. The Act concerning the registration of MPs' commitments and financial interests (1996:810) stipulates that the Parliamentary Administration has to keep a record of the commitments and financial interests of the members. Every member of parliament has to report certain financial interests in accordance with Sections 4, 6 and 7.</p> <p>Examples of financial interests are ownership of shares or property, employment, self-employment, participation in board of directors, debts over a certain amount (Section 8). As the list of examples is broad, any financial contribution to a member of parliament would be included in the duty to disclose. The law is applicable during the time a person is a member of parliament.</p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
Rules on <b>indirect public funding<sup>2</sup> to political parties and/or candidates</b>	Elections Act ( <i>vallag</i> , 2005:837) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vallag-2005837_sfs-2005-837">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vallag-2005837_sfs-2005-837</a>	<i>Are there provisions for indirect public funding for electoral campaigns in your Member State? Please give a brief description and specify transparency provisions.</i>  The Election Authority, <i>Valmyndigheten</i> , provides election material, such as ballot papers and voter cards (Elections Act Chapter 6 Sections 6-8).
Rules on free or subsidised <b>access to media for political parties and/or candidates</b>	N/A	<i>Are there provisions for free or subsidized access to media for political parties in your Member State? Please give a brief description and specify transparency provisions.</i>  There are no specific legal provisions.
Rules on <b>foreign contributions to political parties and political campaigns</b>	Criminal Code ( <i>brottsbalk</i> , 1962:700) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/brottsbalk-1962700_sfs-1962-700">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/brottsbalk-1962700_sfs-1962-700</a>  Act on Transparency of Party Financing ( <i>lag</i> (2018:90) <i>om insyn i finansiering av partier</i> ) <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-201890-om-insyn-i">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-201890-om-insyn-i</a>	<i>Is there a ban on contributions from foreign interests (i.e. foreign countries and governments, foreign companies, foreign organisations, foreign private persons) to political parties and/or to candidates during political campaigns in your Member State?</i>  There is no ban on foreign contributions. Chapter 19 Section 13 of the Criminal Code ( <i>brottsbalk</i> , 1962:700) does prohibit receiving money or other property from a foreign power, where the purpose is to influence public opinion on matters fundamental to governance of the country or national security. In other words, there is an indirect ban if a foreign contribution reaches the

<sup>2</sup> Indirect public funding is when resources with a monetary value are provided by the Government to political parties and/or candidates. Such resources may be, for instance, granting of media access (free advertising slots in publicly owned media), interest-free loans for paying registration fees or mounting a basic election campaign, free printing and distribution of ballot papers, use of Government buildings for meetings and rallies, tax-free donations etc. . See the list of indirect public funding of parties and candidates at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/pca02a4>



Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
	finansiering-av-partier_sfs-2018-90	<p>threshold of “influencing public opinion on fundamental matters”. Although the exact definition is not clear, interpretations of this provision focus on particularly serious effects, for example influencing Sweden’s principle of neutrality.</p> <p>The Act on Transparency of Party Financing (<i>lag (2018:90) om insyn i finansiering av partier</i>) provides a framework for rules on party political funding. The Act does not regulate how parties or election candidates use their income. Rather, the law imposes obligations to report how political activities are financed. The aim is therefore transparency through the publication of information, with the intention of contributing to the legitimacy of the political system and reducing corruption. (See e.g. Government Proposal Prop. 2013/14:70, p.111)</p> <p>The 2018 Act on Transparency of Party Financing repealed a previously in force law from 2014. The rules in the 2018 Act increase transparency within the area, expanding upon and strengthening the rules on party financing (see e.g. Government Proposal Prop. 2017/18:55, p.1). This is done for example through expanding the coverage of reporting obligations to include regional and local levels and through introducing a ban on anonymous contributions over a certain amount (see further below and Sections 9-10 of the Act).</p> <p>Particular types of contributions, such as foreign contributions, are not generally banned. Section 11 of the Act states that contributions are possible from, for example, individuals, companies, organisations, associations, as well as foundations and funds. There are no general limitations on contributions, either during or outside of elections. However, contributions are to be reported on an annual basis, thus providing public transparency for how political parties finance their activities. In accordance with Section 3, parties are under an obligation to clearly state the funds that have come into the organisation and where those funds have come from. The report is to be submitted to the Legal, Financial and Administrative Services Agency (<i>Kammarkollegiet</i>) no later than 1 July of the following year (Section 24).</p> <p>Where contributions are below a certain amount (0.005 price base</p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self/co-regulatory codes or guidelines</u>	Summary of the rules
		<p>amounts), the sum of these contributions should be stated in the income report, in accordance with Section 18. Where contributions exceed this threshold the individual contributions must be specifically stated in the income report, in accordance with Section 20. Where contributions exceed 0.5 price base amounts, further information is to be provided in accordance with Section 21; the identity of the donor must be stated, along with the type and size of the donation. (Where several contributions have been made by the same donor, the total contribution is to be stated.) Anonymous donations between 0.005 and 0.05 price base amounts must be specifically stated in the report, in accordance with Section 19.</p> <p>2021's price base amount (<i>prisbasbelopp</i>) is 47,600 SEK. This means in practice that any contributions in excess of 238 SEK must be specifically stated in the report (in accordance with Section 20); donors contributing in excess of 23,800 SEK must be identified (in accordance with Section 21).</p> <p>The provisions of the Act also ensure that rules on foreign contributions are followed. For example, where a contribution exceeds a given amount the identity of the donor must be stated in the annual report (Section 21). Anonymous donations over a given amount are banned and if occur must be re-paid (Sections 9-10).</p> <p>The Legal, Financial and Administrative Services Agency, <i>Kammarkollegiet</i>, is the supervisory authority for compliance with the Act, in accordance with Section 29. To ensure compliance the authority may issue fines (Section 30). The authority also has the power to issue fees for delays in reporting, non-reporting of income, incorrect reporting and acceptance of anonymous donations that are prohibited (Sections 32-36).</p> <p>The Legal, Financial and Administrative Services Agency publishes the income reports on their website (Section 27). However, the identity of individual donors referred to in Section 21 is not published, where the donor is a natural person.</p> <p>The Legal, Financial and Administrative Services Agency also</p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		publishes information on payments made to the authority in accordance with Section 10 (anonymous donations that are not permitted).
<b>VII. Monitoring and enforcement of national rules on political advertising by national authorities</b>		
National (or regional/local if applicable) <b>authority or body responsible</b> for monitoring national rules on political advertising	N/A	<p><i>Who is responsible for monitoring national rules on political advertising, (e.g. political communications and advertisement messages, the balanced presence and equity of all political candidates)?</i></p> <p>As political advertising falls within freedom of expression, the main limitations are stipulated in the Criminal Code. Hence, the main enforcement in relation to political advertising is via the courts. There are no specific authorities responsible for monitoring political advertising.</p> <p>In relation to specific rules for tv and radio the Authority for Press, Radio and TV (<i>Myndigheten för press, radio och tv</i>) is responsible for monitoring and enforcement.</p>
Particular measures for <b>supervising online political advertising</b> within and outside elections periods	N/A	<p><i>How are national rules on political advertising, including online, ensured in your Member State, if these exist? What are the enforcement powers of the relevant authority/body, as well as procedural safeguards?</i></p> <p>There are no specific legal provisions.</p>
<b>Sanctions, penalties and remedy measures</b> applicable in violation of the law	N/A	<p><i>How are national rules on political advertising enforced in your Member State and what sanctions and remedy measures are applicable?</i></p> <p>See answer above in relation to crimes against freedom of expression.</p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		In relation to specific rules for tv and radio the Authority for Press, Radio and TV ( <i>Myndigheten för press, radio och tv</i> ) can carry out investigations where the legal provisions have not been followed. Fines can be issued but are not common. The authority publishes its decisions stating whether a broadcaster has failed to follow the relevant provisions.

## Annex – List of relevant legislation

- In this Annex, please list all the sources provided in the second column of the table

Name of the sources	Link to the sources	Sources translated into EN
Marknadsföringslag (2008:486)	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/marknadsforingslag-2008486_sfs-2008-486">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/marknadsforingslag-2008486_sfs-2008-486</a>	Marketing Act
Vallag (2005:837)	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vallag-2005837_sfs-2005-837">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vallag-2005837_sfs-2005-837</a>	Elections Act
Brottsbalk (1962:700)	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/brottsbalk-1962700_sfs-1962-700">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/brottsbalk-1962700_sfs-1962-700</a>	Criminal Code
Lag (1972:625) om statligt stöd till politiska partier	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1972625-om-statligt-stod-till-politiska_sfs-1972-625">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1972625-om-statligt-stod-till-politiska_sfs-1972-625</a>	Act on State Aid for Political Parties
Kommunallag (2017:725)	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/kommunallag-2017725_sfs-2017-725">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/kommunallag-2017725_sfs-2017-725</a>	Local Government Act
Lag (2018:90) om insyn i finansiering av partier	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-201890-om-insyn-i-finansiering-av-partier_sfs-2018-90">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-201890-om-insyn-i-finansiering-av-partier_sfs-2018-90</a>	Act on Transparency of Party Financing
Radio- och tv-lagen (2010:696)	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/radio--</a>	Radio and Television Act

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	och-tv-lag-2010696_sfs-2010-696	
Väglag (1971:948)	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vaglag-1971948_sfs-1971-948">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/vaglag-1971948_sfs-1971-948</a>	Road Act
Lag (1998:814) med särskilda bestämmelser om gatuhållning och skyltning	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1998814-med-sarskilda-bestammelser-om_sfs-1998-814">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1998814-med-sarskilda-bestammelser-om_sfs-1998-814</a>	Act regarding Special Provisions on Street Maintenance and Signage
Ordningslag (1993:1617)	<a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/ordningslag-19931617_sfs-1993-1617">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/ordningslag-19931617_sfs-1993-1617</a>	Public Order Act
En ny myndighet för att stärka det psykologiska försvaret (SOU 2020:29)	<a href="https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2020/05/sou-202029/">https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2020/05/sou-202029/</a>	Official Governmental Report: A New Authority to Strengthen Psychological Defence
Partibidragsnämndens beslut om stöd till politiska partier 2020	<a href="https://www.riksdagen.se/sv/press/pressmeddelanden/2020/sep/30/partibidragssamfundens-beslut-om-stod-till-politiska-partier/">https://www.riksdagen.se/sv/press/pressmeddelanden/2020/sep/30/partibidragssamfundens-beslut-om-stod-till-politiska-partier/</a>	Party Funding Board's Decision on Support for Political Parties 2020
Countering Information Influence Activities - A handbook for communicators, Swedish Civil Contingencies Agency (MSB)	<a href="https://rib.msb.se/filer/pdf/28698.pdf">https://rib.msb.se/filer/pdf/28698.pdf</a>	
Riksdagsordning (2014:801)	<a href="https://riksdagen.se/globalassets/07.-dokument-lagar/the-riksdag-act-2015.pdf">https://riksdagen.se/globalassets/07.-dokument-lagar/the-riksdag-act-2015.pdf</a>	The Riksdag Act
Lag (1996:810) om registrering av riksdagsledamöters åtaganden och ekonomiska intressen	<a href="https://riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1996810-om-registrering-av_sfs-1996-810">https://riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1996810-om-registrering-av_sfs-1996-810</a>	Act concerning the registration of MPs' commitments and financial interests