

SWEDEN – LEGAL ANNEX

Constitution (1975)

Law 2008: 38 concerning registration of MPs' undertakings and economic interests (2008), with blank disclosure form

Standing Orders of the Swedish Parliament (

Constitution

Chapter 6, Article 9

(1) Only a person who has been a Swedish citizen for not less than ten years may be a Minister.

(2) A Minister may not undertake any public or private employment, nor may he undertake any commission or perform any function which is liable to impair public confidence in him.

Law (2008: 38) concerning registration of MPs' undertakings and economic interests (2008)

Initial provisions

1 § /Applies from I:03-01-2008/

The Parliament Administration shall create and keep a register for the purpose indicated in 5 §. The register may be kept using automated data processing.

The Parliament Administration is responsible for personal information in the processing of personal information made in accordance with this law.

Law (2008:38).

2 § Indications in the law regarding Members of Parliament is also valid for Deputy Speaker or Member of Cabinet and Deputies assigned as a Members of Parliament and who are expected to serve for a minimum of three consecutive months.

3 § Registering is made after Member of Parliament announcement.

4 § /Applies from I:03-01-2008/

A Member of Parliament shall report to the register all information that is relevant at the time of the report regarding circumstances indicated in 8 §.

A Member of Parliament without any such commitments or economical interests as indicated in 8 § shall notify the register of this fact. Law (2008:38).

Purpose

5 § The register shall give complete information on the Members of Parliament's Commitments and economical interest to the extent motivated by justified common interest.

Reporting

6 § /Applies from I:03-01-2008/

A report according to 4 § shall be made in writing and addressed to the Parliament Chamber Office. The report shall be made within four weeks of the first Parliament assembly after an election or later at the time of beginning the assignment as a Member of Parliament. Law (2008:38).

7 § /Applies from I:03-01-2008/

New information that must be reported or changes in reported information shall be made in writing within four weeks. Law (2008:38).

8 § /New designation 7 § U:03-01-2008/

New information that must be reported or changes in reported information shall be made in writing within four weeks.

8 § /Applies from I:03-01-2008/

The register shall include information on name, party label and constituency regarding Members of Parliament having made the registration.

For each Member of Parliament the following information shall be registered:

Nature of commitment or
Economical
interest

Information to
be registered

1. Share holdings in a corporation, share in trading company or economical association excluding housing cooperative and share in equivalent foreign juridical person, if the value of the shares or the share in each corporation or association or equivalent juridical person, at the time of the report, exceeds two basic amounts according to the Law (1962:381) on General Insurance. Equivalent to shares are financial instruments that entitle to the acquisition of shares.

Name of the corporation, association or the foreign juridical person.

2. Ownership, in whole or in part, of business building according to 2 Chap.

Building designation.

14 § of the Income Tax Law (1999:1229).

3. Salaried employment that is not of a temporary nature.

Nature of position and name of employer.

4. Agreement of an economical nature with former employer, such as agreement regarding salary or pension benefits or other benefits given during the time of the Member of Parliament assignment.

Nature of the agreement and name of employer.

5. Agreement of an economical nature with an employer or client, even if the agreement takes force only after the termination of the Member of Parliament assignment.

Nature of the agreement and name of employer or client.

6. Income generating sole enterprise performed simultaneously with the Member of Parliament assignment.

Nature of the enterprise and where applicable the name of the juridical person in whose name the enterprise is performed.

7. Board of Directors and Auditor assignments in corporations, economic association or equivalent foreign juridical person.

Nature of the assignment and name of the , corporation, association or foreign juridical person.

8. Board of Directors and Auditor assignment in non-profit organization with the purpose of favoring the economical interests of the members, a business pursuing foundation or other economical enterprise or equivalent foreign juridical person.

Nature of the assignment and name of association, foundation or foreign juridical person.

9. Government, Primary Municipal and County Municipal assignment which is not of a temporary nature.

Nature of assignment and name of assigning office.

10. Permanent material benefit and clerical or analytical assistance that is not funded by the Member of Parliament himself and that is connected to the Member of Parliament assignment.

Nature of benefit and funder of the same.

The information in the register shall be open to the public.
Law (2008:38).

9 § /Applies from I:03-01-2008/

For a Member of Parliament who has reported that no information to be reported exists, the register shall include a note of this fact. Law (2008:38).

Register Content

10 § /New designation 8 § U:03-01-2008/

The register shall include information on name, party label and constituency regarding Members of Parliament having made a report to the register.

For each Member of Parliament the following information shall be registered:

Nature of commitment or economical interest

Information to be registered

1. Share holdings in a

or an economical association excluding housing cooperative and share in equivalent foreign juridical person, if the value of the shares or the share in each corporation or association or equivalent juridical person, at the time of the report, exceeds two base amounts

Name of corporation, corporation, share in trading company association or foreign juridical person.

according to the Law (1962:381) on General Insurance. Equivalent to shares are financial instruments that entitle to the acquisition of shares.

2. Ownership, in whole or in part, of business building according to 2 Chap. 14 § of the Income Tax Law (1999:1229).

Building designation.

3. Salaried employment that is not of a temporary nature.

Nature of position and name of employer.

4. Agreement of an economical nature with former employer, such as Agreement regarding salary or pension Benefits or other benefits that are paid during the time of the Member of Parliament assignment.

Nature of the agreement and name of employer.

5. Agreement of an economical nature with an employer or client, even if the agreement takes force only after the termination of the Member of Parliament assignment.

Nature of the agreement and name of employer or client.

6. Income generating sole enterprise performed simultaneously with the Member of Parliament assignment.

Nature of the enterprise and, and where applicable, name of the juridical person in whose name the enterprise is performed.

7. Board of Directors and Auditor assignments in corporation, association or equivalent foreign juridical person.

Nature of assignment and name of corporation, trading company, economical association or foreign juridical person.

8. Board of Directors and Auditor assignment in non-profit association with the purpose of

Nature of assignment and name of association, foundation or foreign

favoring the members' economical interest,
a foundation pursuing economical enterprise
or other economical enterprise or
equivalent foreign juridical
person.

juridical person.

9. Government, Primary Municipal and
that is not of a
temporary nature.

Nature of assignment and County Municipal
assignment name of
assigning office.

10. Permanent material benefit
and clerical or
analytical assistance not funded
by the Member of Parliament himself that is
connected to the Member of Parliament
assignment.
Law (2000:1063).

Nature of benefit and
funder of the same.

10 § /Applies from I:03-01-2008/

Before reported information may be registered, individuals juridical persons and official agencies indicated
in 8 § second paragraph 3-5, 7, 8 or 10 shall, if applicable, be given the opportunity to express their opinion
on information concerning themselves. If such expression contains an objection against reported
information, the

Member of Parliament shall be given an opportunity to amend or supplement his report. Law (2008:38).

11 § /New designation 9 § U:03-01-2008/

For a Member of Parliament who has reported that no information to be reported exists, the register shall
include a note of this fact.

11 § /Applies from I:03-01-2008/

The information in a report shall, if no obstacle due to procedure in accordance to 10 § exists, be registered
latest three weeks after the report. Law (2008:38).

Notification

/The heading applies from I:03-01-2008/

Failure to report

12 § /New designation 10 § U: 2008-03-01/

Before reported information may be registered, individuals juridical persons and official agencies indicated in 10 § second paragraph 3 5, 7, 8 or 10 shall, if applicable, be given the opportunity to express their opinion on information concerning themselves. If such expression includes an objection against reported information, the Member of Parliament shall be given an opportunity to amend or supplement his report.

12 § /Applies from I:03-01-2008/

The speaker shall announce that a Member of Parliament has not fulfilled his duty to report information to the register according to 6 and 7 §§ during a Chamber Assembly. Law (2008:38).

Time of registration

13 § /New designation 11 § U:03-01-2008/

The information in a report shall, if no obstacle due to procedure in accordance to 10 § exists, be registered latest three weeks after the report.

13 § /Applies from I:03-01-2008/

Only the name of a Member of Parliament may be used as a search term.

Law (2008:38).

Search Term

14 § /New designation 13 § U:03-01-2008/

Only the name of a Member of Parliament may be used as a search term.

14 § /Applies from I:03-01-2008/

The information shall be removed from the register at the end of an election period. Information regarding the person who leaves his assignment during the election period shall also be removed. At the time of registration of change of circumstances entered in the register the old information shall be removed from the register. Law (2008:38).

Screening

15 § /New designation 14 § U:03-01-2008/

The information shall be removed from the register at the end of an election period. Information regarding the person who leaves his assignment during the election period or revokes his report to the register shall also be removed from the register. At the time of registration of change of circumstances entered in the register

the old information shall be removed from the register.

15 § /Applies from I:03-01-2008/

Information that has been removed from the register shall be archived in accordance with the Archiving Law (1990:782) Law (2008:38).

/The heading applies from I:03-01-2008/

Correction and Damages

16 § /New designation 15 § U:03-01-2008/

Information that has been removed from the register shall be archived in accordance with the Archiving Law (1990:782).

16 § /Applies from I:03-01-2008/

The provisions in the Personal Information Law (1998:204) regarding corrections and damages is applicable for the processing of personal information according to this law. Law (2008:38).

/The heading applies from I:03-01-2008/

Appeal

17 § /Applies from I:03-01-2008/

A ruling made by the Parliament Administration regarding a case of correction according to 16 § may be appealed to the General Administrative Court. For appeal to the Administrative Court of Appeals a review permit is required.

Other decisions according to this law may not be appealed.

Law (2008:38).

Provisional Regulations

1996:810

1. This law applies from September 1 1996.

2. For the election period during which the law takes force shall, in place of indications in 6 §, a report of registration be made within four weeks of the first meeting of the Parliamentary Session 1996/97.

Standing Orders of the Parliament

Chapter 2, Article 11

MPs are not allowed to vote in issues in which they have a personal interest.

Chapter 4, Article 14

Members of Committees may participate in matters in which they have a personal interest.

Chapter 2

Article 11

Jäv

11 § Ingen får vid ett sammanträde delta i behandlingen av ett ärende som personligen rör honom eller henne eller någon närstående. Ett statsråd får dock delta i överläggningen i ett ärende som rör hans eller hennes tjänsteutövning. Lag (2003:180).

Chapter 4

Jäv vid ett utskottssammanträde

14 § Ingen får närvara i ett utskott, när ett ärende som personligen rör honom eller henne eller någon närstående behandlas. Lag (2003:180).

Salary Information

Arvoden

Riksdagens ledamöter har ett grundarvode på 49 200 kronor i månaden som är skattepliktigt.

Arvodets storlek bestäms av Riksdagens arvodesnämnd som är en myndighet under riksdagen.

Talmannens arvode är lika stort som statsministerns, 121 000 kronor i månaden. De vice talmännen får grundarvodet som riksdagsledamot plus ett tillägg som är 30 procent av grundarvodet. Den ledamot som är ordförande i ett utskott har ett tillägg på 20 procent och vice ordföranden ett på 15 procent.