

Radio and Television Act

(SFS No. 2010:696)

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General provisions

Chapter 1 Content and scope of the Act

Content of the Act

Section 1. This Act contains provisions regarding TV broadcasts, on-demand TV, searchable Teletext and radio broadcasts, in accordance with the following.:

-General provisions

The Content and scope of the Act (Chapter 1)

Information and registration (Chapter 2)

Definitions (Chapter 3)

- TV broadcasts, on-demand TV and searchable Teletext

Licensing requirements (Chapter 4)

Content of TV broadcasts, on-demand TV and searchable Teletext (Chapter 5)

Product placement (Chapter 6)

Sponsorship (Chapter 7)

Commercial advertising and other advertising, etc. (Chapter 8)

Cable network retransmissions (Chapter 9)

-Radio broadcasts

Licensing requirements (Chapter 10)

Licence to broadcast radio programmes other than community radio and commercial radio (Chapter 11)

Licence to broadcast community radio (Chapter 12)

Licence to broadcast commercial radio (Chapter 13)

Content of radio broadcasts (Chapter 14)

Commercial advertising, other advertisements and sponsorship (Chapter 15)

- Common provisions

Review and supervision (Chapter 16)

Penalties, special fees and conditional fines (Chapter 17)

Revocation of licences (Chapter 18)

Procedure for cases regarding revocation, special fees and conditional fines, etc. (Chapter 19)

Appeals (Chapter 20) Act (2012:702).

Implementation of the AVMS Directive

Section 2 This Act implements in parts the Directive of the European Parliament and the Council 2010/13/EU of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) hereinafter called “the AVMS Directive”. Act (2015:662).

TV broadcasts and on-demand TV

Section 3. This Act applies to TV broadcasts and on-demand TV that can be received in any state subject to the European Economic Area agreement (EEA State), if the media service provider

1. is established in Sweden in accordance with the definition set out in Article 2.3 of the AVMS Directive, in its original wording,
2. does not fulfil the criterion under 1, and is not established in any other EEA State, but utilises a satellite up-link situated in Sweden,
3. does not fulfil any of the criteria under 1 or 2 but utilises satellite capacity belonging to Sweden, or
4. does not fulfil any of the criteria under 1, 2 or 3, but is established in Sweden in accordance with Articles 49–54 of the Treaty on the Functioning of the European Union.

In addition to the provisions of the first paragraph, Chapter 2 Section 3, Chapter 4 Sections 1–7, Section 9 indents 1–3, 6–9 and 16, and Sections 11–17, Chapter 5 Section 13 and Chapters 16–20 shall also apply to a party under another EEA State’s jurisdiction pursuant to the AVMS Directive, in its original wording. Act (2015:662).

Section 4. For transmissions by cable to 100 households or fewer, only Chapter 9 Sections 1–4 apply and in the *Fundamental Law on Freedom of Expression* only Chapter 1 Sections 2 and 3 apply.

Radio broadcasts via satellite

Section 5. This Act applies to broadcasts of radio programmes via satellite that can be received in Sweden if the party conducting the broadcasting operations has a registered address in Sweden or the satellite transmission takes place from a transmitter in Sweden. Act (2012:702).

Exemption for certain audio content in TV broadcasts

Section 6. Provisions other than Chapter 4 Section 10 indent 1 regarding the prohibition against broadcasting commercial advertisements and Chapter 8 Section 15 on the prohibition against broadcasting commercial advertisements, do not apply to audio content in a TV broadcast, if the audio content is identical to a radio broadcast conducted under a licence granted pursuant to this Act, or for which the broadcaster is registered.

Chapter 2. Information and registration

Information regarding broadcasters that broadcast television and providers of on-demand TV

Section 1. Broadcasters that broadcast television and providers of on-demand TV shall make the following information easily, directly and permanently accessible to the recipients of a service:

1. the name of the media service provider;
2. the geographical address where the media service provider is established;
3. information about the media service provider, including e-mail and website addresses, and
4. information on the competent regulatory authority.

Providers of on-demand TV are also subject to Section 8 of the Electronic Commerce and other Information Society Services Act (2002:562).

Registration

Section 2. A broadcaster that conducts broadcasting operations not requiring a licence pursuant to this law, or that provides on-demand TV, shall register with the Swedish Press and Broadcasting Authority. The same applies to any party that conducts broadcasting operations on behalf of another party via satellite or leases out satellite capacity (satellite contractor).

The registration must contain

1. name, trade name or the equivalent information,
2. representative for the legal person,
3. postal address, telephone number, e-mail and website addresses, and
4. information regarding the operations conducted. Act (2015:808).

Registry

Section 3. The Press and Broadcasting Authority shall establish a registry of parties

1. who have registered pursuant to Section 2, and whose operations are subject to this Act,
or
2. who hold the type of licence referred to in Chapter 4 Section 3, Chapter 11 Section 1, Chapter 12 Section 1 or Chapter 13 Section 1.

The registry may be kept with the help of automatic data processing. It may only contain such information referred to in Section 2 paragraph 2, Chapter 5 Section 11, Chapter 14 Section 7 and Chapter 16 Sections 5–9. Act (2015:808).

Chapter 3. Definitions

Section 1. The following terms and definitions are used in this Act:

1. Advertisement: commercial advertising and other messages that are not commercial advertising but are broadcast on behalf of another party, and are intended to promote a cause or idea;
2. Advertising with split screen: broadcast of an advertisement at the same time as another broadcast;
3. On-demand TV: a service whereby a media service provider provides the public with TV programmes for purposes of information, entertainment or education using electronic communications networks
 - a) upon request by the user,
 - b) at a time chosen by the user, and
 - c) from a catalogue of programmes chosen by the provider;
4. Teleshopping: programmes where a recipient of the programme is offered the possibility of ordering goods and services;
5. Commercial radio: radio broadcasts requiring a licence, which
 - a) does not require a licence from the Government,
 - b) is not restricted to a limited time pursuant to Chapter 11 Section 1, paragraph 2, or
 - c) is not community radio.
6. Media service provider: a party who
 - a) has editorial responsibility for the choice of content in a radio or TV broadcast, on-demand TV or searchable Teletext, and
 - b) determines how the content is structured;
7. Radio broadcast: a broadcast of a radio programme using electronic communications networks, which
 - a) is provided by a media services provider,
 - b) is directed to the public, and
 - c) is intended to be received using technical aids;
8. Community radio: local radio broadcasts for associations and registered religious communities;
9. Community radio association: an association of several licence holders in a broadcasting area for shared community radio purposes;
10. Product placement: the presence of a product, service or trade mark in a programme for marketing purposes and in return for payment or similar consideration to the media service provider, unless the good or service is of insignificant value and has been provided free of charge;
11. Broadcaster: a provider of media services that supplies radio broadcasts, TV broadcasts or searchable Teletext;
12. Programme service: a selection of radio or TV programmes or searchable Teletext broadcast under the same designation;
13. Commercial advertisement: every form of message which is
 - a) broadcast either in return for payment or for similar consideration, or as self-promotion of the broadcaster, and
 - b) intended as a part of business activities to market products, services, real estate, job opportunities or other goods;
14. Sponsorship: any contribution that a party who is not engaged in supplying or producing radio, TV broadcasts, on-demand TV or searchable Teletext makes in order to finance these media services or programmes with the intent of promoting the name, trade mark, reputation, business, product or interest of the contributor;
15. Broadcast directed to the public: a broadcast that simultaneously, and without the need for a separate request, is accessible for whoever wishes to receive it;
16. Searchable Teletext: a broadcast via an electronic communications network that consists mainly of text, graphics or still images, with or without sound, and
 - a) is provided by a media services provider,
 - b) is directed to the public,
 - c) is intended to be received using technical aids, and

d) allows the user to choose which part of the content he or she would like to access and the point in time when this takes place;

17. TV programme: a programme that mainly consists of moving pictures with or without sound;

18. TV broadcast: a broadcast of, or to broadcast, TV programmes using an electronic communications network, in which the broadcast

a) is provided by a media services provider,

b) is directed to the public, and

c) is intended to be received using technical aids;

19. Virtual advertising: broadcast of messages that are placed electronically in the TV picture on fixed objects that are normally used for advertising, or on the ground where advertising can be physically placed.

TV broadcasts, on demand TV and searchable Teletext

Chapter 4. Licensing requirements

Broadcasting frequencies

Section 1. The Government decides the broadcasting frequencies which may be allocated in different parts of the country for TV broadcasts and searchable Teletext that require a licence pursuant to this Act.

When a licence is required

Section 2. Broadcasting of TV and searchable Teletext using radio waves requires a licence pursuant to this Act if the broadcast is implemented on the frequencies 87.5–108 megahertz, 174–240 megahertz or 470–790 megahertz.

Regulations regarding licences to use radio transmitters can be found in the Electronic Communication Act (2003:389).

Grantor of licences

Section 3. The Government grants licences to broadcast TV and searchable Teletext if the broadcasting operations are financed by the radio and TV fee according to the Act on Financing of Public Service Radio and Television (1989:41). The Press and Broadcasting Authority grants licences in all other cases. Act (2015:808).

The significance of a licence

Section 4. A licence to broadcast TV and searchable Teletext includes the right to broadcast the number of programme services that the licence indicates simultaneously in every area, at the times of day stated in the licence.

Who may obtain a licence

Section 5. Licences to broadcast TV and searchable Teletext may only be granted to a broadcaster that has adequate financial and technical resources to broadcast during the entire licence period, and is prepared to cooperate with other licence holders on technical issues.

Considerations in granting a licence

Section 6. When allocating licences to broadcast TV and searchable Teletext, particular care must be taken to ensure that the broadcasting frequencies can be utilised

1. for different programme services so that the broadcasts will appeal to a variety of interests and tastes,
2. for national as well as local and regional programme services, and
3. by a number of mutually independent broadcasting companies.

Licence limited to retransmission

Section 7. A licence granted by the Press and Broadcasting Authority may provide a broadcaster with the right to only retransmit programmes that are already simultaneously being broadcast by or that had been

broadcast shortly before by another broadcaster. In such a licence the Authority may decide that the provisions in Chapters 5–8 shall not be applied to broadcasts pursuant to the licence. Act (2015:808).

Licence conditions

Section 8. A licence to broadcast TV or searchable Teletext may be subject to conditions that the right to broadcast be exercised impartially and accurately, with consideration taken to the fact that extensive freedom of expression and information shall apply to TV.

Section 9. A licence to broadcast TV or searchable Teletext may be combined with the obligation to

1. broadcast throughout Sweden or to a certain part of the country,
2. broadcast for a certain minimum time,
3. simultaneously broadcast a certain minimum number of programme services in each area,
4. broadcast searchable Teletext to a certain extent,
5. broadcast programmes with content especially adapted for persons with functional impairments,
6. provide space for broadcasts based on licences issued by the Government,
7. utilise a specific transmission technology,
8. cooperate with other licence holders on technical matters with the aim of promoting accessibility and competition,
9. utilise certain radio transmitters,
10. take into consideration the special impact of television broadcasting as regards programme content and formulation, and the time at which the programmes are broadcast,
11. broadcast replies,
12. in broadcasting operations respect individuals' right to privacy,
13. broadcast a diversified range of programmes,
14. broadcast and produce programmes regionally,
15. broadcast announcements which are of importance for the general public, without charge, if so requested by an authority,
16. devise broadcasts in a manner that ensures that reception is not confined to a limited section of the public in the broadcasting area, and
17. prepare a contingency plan for the operations during a high-level alert and in exceptional circumstances in peacetime, and submit the plan to the Government and to the authority designated by the Government. Act (2012:702).

Section 10. A licence to broadcast TV programmes or searchable Teletext may be subject to the prohibition of or conditions for broadcasting

1. commercial advertising or other advertising,
2. sponsored programmes in addition to those cases other than those indicated in Chapter 7, Sections 1–3, and
3. programmes where there is product placement.

Section 11. A licence to broadcast TV or searchable Teletext may be subject to conditions under which the ownership structure and influence within an enterprise which has been granted a licence may not change significantly.

Licence Period

Section 12. A licence issued by the Government to broadcast TV or searchable Teletext shall be valid for a specific period as determined by the Government.

A licence issued by the Press and Broadcasting Authority to broadcast TV or searchable Teletext is valid for six years. Under special circumstances the Authority may decide that a licence will be valid for a shorter time period.

The period of validity for licence conditions may be shorter than the period of the licence. Act (2015:808).

Exemptions for broadcasts with limited period licences

Section 13. The provisions in Sections 5 and 6 need not be applied if the licence to broadcast TV and searchable Teletext is valid during a limited period of no more than two weeks.

The Press and Broadcasting Authority may decide that Chapters 5–8 shall not be applied to broadcasts described in the first paragraph. Act (2015:808).

Statement regarding licensing conditions

Section 14. Before a decision is made regarding a licence, the applicant must be given an opportunity to read and express an opinion on the conditions that the Government or the Press and Broadcasting Authority intends to include in the licence. Decisions to grant broadcasting licences may not contain other programme-related conditions than those accepted by the applicant. Act (2015:808).

Transfer of licence

Section 15. A licence to broadcast TV and searchable Teletext may be transferred if this is approved by the Press and Broadcasting Authority. This approval may only be granted if

1. the acquiring party fulfils the conditions in Section 5,
2. the transfer will not significantly increase the concentration of ownership among those with licences to broadcast TV and searchable Teletext, and
3. the transfer will not cause a reduction of diversity in the range of programme services requiring a licence.

A transfer that is not approved is null and void. Act (2015:808).

Section 16. A party that acquires a licence takes over the transferor's rights and obligations under this Act.

If the previous licence holder is subject to an order under Chapter 17 Sections 11 and 13, the order will also apply to the new licence holder. The Press and Broadcasting Authority must notify the new licence holder of this in connection to the approval of the transfer. Without this notification the order will not apply to the new licence holder. A conditional fine that has been imposed as part of the order shall not apply to the new licence holder. Act (2015:808).

Fees

Section 17. The Press and Broadcasting Authority may charge a fee to a party that applies for a licence to broadcast TV and searchable Teletext or for an approval of a transfer of such a licence.

The fee shall be equivalent to the Authority's costs for handling the matter. Act (2015:808).

Chapter 5. Content of TV broadcasts, on-demand TV and searchable Teletext

General requirements

Section 1. A media service provider providing TV broadcasts, on-demand TV or searchable Teletext shall ensure that the overall programme operation reflect the fundamental concepts of a democratic constitution, the principle that all persons are of equal value, and the freedom and dignity of the individual.

Depictions of violence and pornographic images

Section 2. Programmes containing detailed depictions of violence of a realistic nature or pornographic images which are broadcast on television must either be preceded by a verbal warning or contain a warning text continuously displayed on the screen throughout the broadcast. Such programmes may not be broadcast at such times and in such a manner that there is a considerable risk of children viewing the programmes, unless justifiable for special reasons.

Section 3. Programmes provided through on-demand TV which contain detailed depictions of violence of a realistic nature or pornographic images may not be broadcast in such a manner that there is a considerable risk of children viewing the programmes, unless justifiable for special reasons.

Corrections

Section 4. Information in a television programme or in searchable Teletext transmitted by means other than cable shall be corrected when this is justified, unless it is a question of commercial advertising.

Information in a television programme or in searchable Teletext, which is not commercial advertising and has been transmitted by cable, should also be corrected when this is justified.

Undue prominence of commercial interests

Section 5. Programmes that are not commercial advertising may not promote commercial interests in an improper manner. This means that programmes may not

1. promote purchases or rental of goods or services, or contain sales-promotional features, or
2. promote a product or service in an improper manner.

Chapters 6 and 7 contain provisions regarding product placement and sponsorship.

Messages in advertising

Section 6. In broadcasts subject to conditions of impartiality, there may be no messages broadcast at the request of a third party which are aimed at gaining support for political or religious opinions or opinions regarding labour market issues.

These messages shall be considered as advertisements according to with Chapter 3 Section 1.

Programmes of European origin

Section 7. Any party that broadcasts television through means other than by cable shall ensure that the following requirements are satisfied, unless there are special reasons to the contrary:

1. More than half the annual broadcasting time shall be reserved for European works;
2. At least ten per cent of the annual broadcasting time or at least ten per cent of the programming budget shall be used for European works created by independent producers. As large of a proportion as possible shall consist of programmes produced during the preceding five years.

In the context of this section, “broadcasting time” is defined as the time period when programmes with content other than news, sports event, games, advertisements and teleshopping are broadcast. Broadcasting time shall also not include broadcasts with text only.

TV broadcasts in accordance with the first paragraph shall, unless there are special reasons to the contrary, contain a considerable proportion of programmes in the Swedish language, programmes with artists active in Sweden, and works by creators active in Sweden.

Section 8. Providers of on-demand TV provided through other means than cable shall, in an appropriate manner and where feasible, promote the production of and access to European works.

Exclusive rights to TV broadcasts

Section 9. A broadcaster of television programmes who holds exclusive television broadcasting rights for a Swedish or foreign event which is of particular importance to the Swedish society may not, if the broadcaster broadcasts the event, utilise such rights in a manner that denies a significant proportion of the Swedish public the opportunity of viewing the event on free television in a live broadcast, or with a slight delay if there are objective grounds for this. The events referred to are those that occur not more than once a year and are of interest to the broad public in Sweden.

If the European Commission has stated in a notice in the Official Journal of the European Communities that an event is of particular importance to the public in another EEA state, a television broadcaster holding exclusive rights to broadcast the event to the state concerned may not, if the event is broadcast, utilise such rights in a manner that denies a significant proportion of the general public in the state concerned an opportunity to view the event on free television in a manner specified in the notice.

If a party invites another party to broadcast the event on television in order to fulfil obligations under the first or second paragraphs, this shall be done on reasonable terms.

The Government issues regulations regarding which events are of particular importance for Swedish society.

Short excerpts from events of particular public interest

Section 10. Section 48 a of the Copyright in the Literary and Artistic Works Act (1960:729) includes provisions regarding the right of a broadcaster in an EEA State to use, excerpts from broadcasts of an event of particular public interest, broadcast by another broadcaster with exclusive rights, in its general news broadcast.

Requirements for broadcast designation in TV broadcasts and searchable Teletext

Section 11. A party that broadcasts TV or searchable Teletext in accordance with this Act shall use a designation for its broadcasts which has been approved by the Press and Broadcasting Authority.

The designation must be displayed in TV broadcasts at least once per broadcasting hour, or, if this is not possible, between programmes. In searchable Teletext, the designation must be displayed constantly. Act (2015:808).

Requirement regarding accessibility for persons with functional impairments

Section 12. A media service provider who provides TV broadcasts, on-demand TV or searchable Teletext through other means than cable must arrange the service in such a way that it is accessible to persons with functional impairments by sub-titling, interpretation, audio description or other similar techniques. This also applies to a media service provider that provides television broadcasting or searchable Teletext through cable. Accessibility must be arranged to the extent decided by the Government if the operations are financed by radio and TV fees in accordance with the Act on Financing of Radio and Television for Public Service (1989:41), and by the Press and Broadcasting Authority in all other cases. Such a decision is valid for a certain time.

In determining how and to what extent the service shall be made accessible for persons with functional impairments, the media service provider's financial situation and the technical development of the accessibility services must be considered. Act (2015:808).

Freedom to broadcast TV and provide on-demand TV to Sweden

Section 13 A media service provider established in an EEA State other than Sweden is entitled to provide its services to Sweden notwithstanding Swedish rules in the area of regulation coordinated by the AVMS Directive in its original wording. This also applies when the service is provided through retransmission in Sweden by a media service provider under Swedish jurisdiction pursuant to Chapter 1 Section 3.

In the case of television broadcasts, Chapter 16 contains provisions on cooperation between authorities. In the case of on-demand TV there are also provisions in the Act (2002:562) on Electronic Commerce and Other Information Society Services that a court or other authority, under certain conditions and with support of the law, may adopt a measure restricting the free movement of such a service. Act (2015: 662).

Chapter 6. Product placement

Prohibition on broadcasting programmes that include product placement

Section 1. Product placement may not occur in programmes for TV or on-demand TV, unless otherwise provided in Section 2.

Section 2. Media service providers may broadcast films, TV series, sport programmes and light entertainment programmes including product placement, subject to the conditions set out in Sections 3 and 4.

The first paragraph does not apply to programmes aimed at children under 12 years of age, nor to any programmes where there is product placement of

1. alcoholic beverages and tobacco products,
2. other products from companies whose principal activity is to manufacture or sell alcoholic beverages and tobacco products, or
3. prescription medicinal products and medical treatments that are only available on prescription, or
4. infant formula. Act (2013:1056).

Requirements regarding programmes with product placement

Section 3. Programmes with product placement may only be broadcast if the programmes do not improperly promote commercial interests pursuant to Chapter 5 Section 5.

The content of programmes, and scheduling in the case of TV broadcasts, must not be influenced in such a way as to affect the editorial independence of the media service provider. Act (2015:662).

Information about product placement

Section 4. When product placement occurs in a programme, this must be communicated at the beginning and at the end of the programme, as well as when the programme resumes after an advertising break.

The information shall consist only of a neutral statement that the programme contains product placement and a mention of the goods or services that have been placed in the programme.

Chapter 7. Sponsorship

Programmes that may not be sponsored

Section 1. Programmes in TV broadcasts, searchable Teletext or on-demand TV that mainly concern news or contain news commentary may not be sponsored.

Who may not sponsor programmes

Section 2. Programmes in TV broadcasts, searchable Teletext or on-demand TV may not be sponsored by any party whose principal activity is manufacturing or selling alcoholic beverages or tobacco products.

Restrictions on companies that manufacture or sell infant formula

Section 2 a. If a company that manufactures or sells infant formula sponsors a programme in a TV broadcast, searchable Teletext or on-demand TV, the sponsorship may not promote the usage of infant formula, but only other products of the company and its reputation. Act (2013:1056).

Restrictions on pharmaceutical companies

Section 3. If a pharmaceuticals company sponsors a programme in a TV broadcast, searchable Teletext or on-demand TV, the sponsorship may only promote the name or reputation of the company, but not prescription medicinal products and medical treatments that are only available on prescription.

Requirements on sponsored programmes

Section 3 a. The content of sponsored programmes, and scheduling in the case of TV broadcasts, must not be influenced in such a way as to affect the editorial independence of the media service provider. Act (2015:662).

Section 4. When a media service provider a sponsored programme in a TV broadcast or on-demand TV, the provider must indicate who has contributed to the financing. Such a message must be communicated at the beginning and end of the programme, or at one of these occasions.

In the case of searchable Teletext, this message must be communicated continuously.

If only one clearly delineated part of a programme is sponsored, the sponsorship message must be communicated at the beginning or end of that part. Such a message requires that the integrity and value of the programme, or the rights of the rightsholders have not been violated.

Section 5. In addition to that provided in Section 4, sponsorship messages may be communicated in TV broadcasts

1. at the beginning and end of a programme, if a message has been communicated pursuant to Section 4 paragraph 3,
2. in sport programmes with extended breaks and in programmes showing performances or events, in breaks for the audience,
3. in connection to the broadcast changing from one programme service to another,
4. when switching between studio broadcasts and other broadcasts, and
5. in connection to advertising breaks.

The first paragraph applies only if the sponsorship message can be communicated in a way that does not violate the integrity and value of the programme, or the rights of the rightsholders.

Section 6. In addition to that provided in Section 4, sponsorship messages may be communicated in on-demand TV if this can be done without violating the integrity and value of the programme, or the rights of the rightsholders.

Section 7. A sponsorship message in TV broadcasts, searchable Teletext or on-demand TV shall contain the name, logotype or other mark of the sponsor. The message may not contain sales promoting features.

Sponsorship message on a split screen

Section 8. A sponsorship message may be communicated on a split screen in those cases mentioned in Sections 4–6, if this can be done without violating the integrity and value of the programme or the rights of the rightsholders.

Chapter 8. Commercial advertising and other advertising, etc.

Advertising time for TV broadcasts

Section 1. Advertisements may be broadcast on TV for no more than twelve minutes per full hour.

Notwithstanding the provisions of the first paragraph, programme services that are intended solely for teleshopping may be broadcast on TV provided that broadcasting time are at least fifteen minutes.

Section 2. The total time of advertising in a TV broadcast may not be less than one minute on any given occasion after deducting the broadcasting time for the advertising signature according to Section 5.

The first paragraph does not apply to live TV broadcasts of sports events. Act (2012:702).

Programmes that may not be interrupted by advertising

Section 3. TV broadcasts that contain religious services or programmes primarily aimed at children under 12 years of age may not be interrupted by advertising.

On-demand TV programmes primarily aimed at children under 12 years of age may not be interrupted by advertising.

When programmes may be interrupted by advertising

Section 4. Programmes in TV broadcasts other than those indicated in Section 3 first paragraph may be interrupted by advertising only if the interruption does not affect the integrity and value of the programme or violate the rights of the rights holders, considering the natural breaks in the programme and the length and nature of the programme.

Broadcasts of news programmes, feature films, and films produced for TV, except for TV series and documentaries, may be interrupted by advertising once every scheduled period of at least thirty minutes, provided that the requirements in the first paragraph are satisfied.

Advertisement signature

Section 5. Before and after every advertising break in TV broadcasts and on-demand TV, there must be a special signature that clearly separates the advertising from the editorial content. This signature must consist of an audio and a visual component. In searchable Teletext, teleshopping programmes and split-screen advertising, the symbol must always be visible. However, only the visual component is required.

With regard to TV broadcasts for which the Government grants licences, the Government may grant exemptions from the obligation according to the first paragraph and the requirement on minimum advertising time pursuant to Section 2. This exemption may be granted by the Press and Broadcasting Authority regarding broadcasts for which the Authority grants licences.

Provisions concerning the identification of commercial advertising can be found in Section 9 of the Marketing Practices Act (2008:486). Act (2015:808).

Information about the party supplying an advertisement

Section 6. In the case of an advertisement that is not commercial advertising, which appears on a TV broadcast, searchable Teletext or on-demand TV, the party supplying the advertisement must be stated.

Commercial advertising and children

Section 7. Commercial advertising in TV broadcasts, searchable Teletext and on-demand TV may not aim to attract the attention of children under 12 years of age.

Commercial advertising in TV broadcasts and on-demand TV may not appear immediately before or after a programme or part of a programme that is primarily aimed at children under 12 years of age.

Section 8. Individuals or characters who play a prominent role in programmes that are primarily aimed at children under 12 years of age may not appear in commercial advertising on TV broadcasts, searchable Teletext and on-demand TV.

Persons who may not appear in advertising

Section 9. Persons who have a prominent role in programmes in TV broadcasts, searchable Teletext and on-demand TV programmes mainly concern news or news commentaries may not appear in advertising.

Split-screen advertising

Section 10. Split-screen advertising may be used in TV broadcasts that consist of live events that continue without interruption. Advertising in the form of split-screen self-promotion may also be used in other types of TV broadcasts.

Split-screen advertising may be used in on-demand TV.

Split-screen advertising may not be used if it violates the integrity and value of the programme or the rights of the rightsholders.

The first paragraph also applies to the retransmission of an unchanged TV programme.

Virtual advertising

Section 11. Virtual advertising may be used in sport events in TV broadcasts and on-demand TV if the advertising

1. is not more prominent than the advertising that normally is present to perceive the content of the programme, or
2. does not violate the integrity and value of the programme or the rights of the rightsholders.

Before and after each programme that contains virtual advertising, the media services provider must communicate in a suitable manner that this type of advertising is used. This information shall consist only of a neutral indication that the programme contains virtual advertising.

The provisions in Sections 7–9 shall be applied to virtual advertising.

Electronic company signs

Section 12. In sport and competition programmes in TV broadcasts and on-demand TV, the name or logotype of the company or companies that supplied necessary equipment or services that are required in order to produce information about results, scores or similar measures may be included in the TV picture electronically, provided the following conditions are met:

1. The company name or logotype is shown in connection to the delivery of the information which the company in question provided.
2. The broadcaster or provider of on-demand TV may not receive payment or similar consideration for the inclusion of the electronic company sign.
3. The company name or logotype is not displayed in combination with audio content, and shall only take up a small part of the picture.
4. The company name or logotype is shown to a reasonable extent.

Commercial advertising for alcohol and tobacco

Section 13. The provisions prohibiting the commercial advertising for alcoholic beverages and tobacco products are found in Chapter 7 Section 3 of the Alcohol Act (2010:1622) and in Section 14 of the Tobacco Act (1993:581). Act (2010:1635).

Commercial advertising for infant formula

Section 13 a. Provisions prohibiting the commercial advertising for infant formula are found in the Act (2013:1054) on the Advertising of Infant Formulas and Follow-On Formulas. Act (2013:1056).

Commercial advertising for medicinal products and medical treatments

Section 14. Commercial advertising for medical treatment available only on prescription may not appear in TV broadcasts, searchable Teletext and on-demand TV.

Teleshopping programmes for medicinal products and medical treatments must not be included in TV broadcasts, searchable Teletext and on-demand TV.

Provisions prohibiting certain types of marketing for medicinal products can be found in the Medicinal Products Act (2015:315). The Medicinal Products Act states that its provisions are monitored by the Medical Products Agency. Act (2015:808).

Prohibition of commercial advertising by local cable broadcasting organisations

Section 15. A local cable broadcasting organisation may not broadcast any commercial advertising.

Exemption for self-promotion

Section 16. The provisions in Sections 1, 2, 5, 7–9 and 15 do not apply to commercial advertising used by a broadcaster to advertise its own programme operations.

Chapter 9. Cable network retransmissions

Obligation to retransmit programme services

Section 1. A party who owns or otherwise controls an electronic communications network used to relay TV broadcasts through cable to the general public shall ensure, if a significant number of households that are connected to the network use it as their main means of receiving TV broadcasts, that residents in the households that are connected can receive TV broadcasts made pursuant to a licence from the Government and which can be received in the area without conditions of separate payment.

This obligation only applies to TV broadcasts for which the licence contains impartiality and accuracy requirements and a requirement on a diversified range of programmes that must include news coverage. The broadcasting obligation only applies if the conditions for retransmission in accordance with the Copyright in the Literary and Artistic Works Act (1960:729) have been met.

It must be possible to receive TV broadcasts in accordance with the first paragraph above in a satisfactory manner and with no reception cost.

The broadcasting obligation mentioned in the first paragraph above also applies to TV broadcasts which a licence holder conducts to fulfil the obligation to broadcast throughout the country or to parts of the country, but where the type of broadcast does not require a licence from the Government.

The number of programme services covered by the broadcasting obligation

Section 2. The broadcasting obligation in accordance with Section 1 does not cover more than four programme services broadcast simultaneously by one licence holder whose operations are financed by the radio and TV fee pursuant to the Act on Financing of Public Service Radio and Television (1989:41).

Technology to be used in retransmissions

Section 3. In a network where TV broadcasts take place using both analogue and digital technology, retransmission of at least two programmes referred to in Section 2 shall take place using analogue technology if they are being transmitted or have been transmitted using analogue technology. In other cases retransmission may be carried out using digital technology.

Exemption from broadcasting obligation

Section 4. The broadcasting obligation pursuant to Section 1 paragraphs 1 and 2 does not include broadcasts based on licences for retransmission according to Chapter 4 Section 7.

Broadcasting space for TV programmes from local cable broadcasting organisations

Section 5. A party who owns or otherwise controls an electronic communications network in which television programmes are relayed to the general public through cable and reach at least 100 of the households connected to that network as their primary means of receiving TV broadcasts shall provide, without charge, specifically determined space for broadcasting TV programmes by one or more cable broadcasting organisations appointed by the Press and Broadcasting Authority for each municipality in which the party has such a network.

In networks where TV is broadcast with analogue and digital technology, space must be provided to local cable broadcasting organisations with both analogue and digital technology. Act (2015:808).

Requirements for local cable broadcasting organisations

Section 6. A local cable broadcasting organisation shall be a legal person formed to conduct local cable transmissions and which can be assumed to permit the expression of different interests and opinions in its operations.

In conducting its broadcasting operations, a local cable broadcasting organisation shall endeavour to achieve the broadest possible freedom of expression and freedom of information.

The appointment of local cable broadcasting organisations by the Press and Broadcasting Authority shall be limited to a maximum of three years. Act (2015:808).

Possibility of exemption

Section 7. The Press and Broadcasting Authority may grant an exemption from the obligations pursuant to Sections 1–3 and 5, if there are special reasons to do so. Act (2015:808).

Radio broadcasts

Chapter 10. Licensing requirements

When a licence is required

Section 1. In order to broadcast radio programmes using radio waves, a licence is required pursuant to this Act if

1. the broadcast takes place on frequencies below 30 megahertz intended for radio broadcasts, in accordance with binding international agreements for Sweden, or
2. the broadcast takes place on frequencies between 87.5–108 megahertz, 174–240 megahertz or 470–790 megahertz. Act (2012:702).

Section 2. A licence pursuant to Section 1 is not required for broadcasts that are specially adapted to visually impaired persons, and that take place for no more than four hours a day from radio transmitters used for broadcasts for with licences pursuant to this Act.

Section 3. Provisions regarding licences to use radio transmitters can be found in the Electronic Communications Act (2003:389).

Chapter 11. Licence to broadcast radio programmes other than community radio and commercial radio

Grantor of licences

Section 1. Licences to broadcast radio programmes are granted by the Government if broadcasting operations are financed by the radio and TV fee according to the Act on Financing of Public Service Radio and Television (1989:41). The Government also grants licences to broadcast radio to places outside Sweden.

The Government may decide that Chapters 14 and 15 shall not apply to broadcasts made outside Sweden under such a licence.

The Press and Broadcasting Authority may grant licences to broadcast radio that is not community radio or commercial radio for a limited period of not more than two weeks. The Authority may decide that Chapters 14 and 15 shall not apply to broadcasts made under such a licence.

If there are special reasons for doing so, the Government may grant a licence to broadcast radio in local broadcasts that do not fulfil the requirements for community radio or commercial radio. Act (2015:808).

The significance of a Government licence

Section 2. A licence to broadcast radio includes the right to broadcast the number of programme services indicated in the licence simultaneously and in every area during the hours stated in the licence. Act (2012:702).

Licence conditions

Section 3. A licence to broadcast radio programmes other than community radio and commercial radio may be subject to conditions stated in Chapter 4 Sections 8, 10 and 11.

A licence may also be subject to certain conditions, such as the obligation to

1. broadcast throughout Sweden or to a certain part of the country,
2. broadcast for a certain minimum time,
3. simultaneously broadcast a certain minimum number of programme services in each area,
4. provide space for broadcasts that are specially adapted for persons with visual impairments under Chapter 10 Section 2, and arrange the broadcasts to be accessible to persons with functional impairments,
5. provide space for broadcasts pursuant to Government licences,
6. utilise specific transmission technology,
7. cooperate with other licence holders on technical matters with the aim of promoting accessibility and competition,
8. utilise certain radio transmitters,
9. take into consideration the special impact of radio broadcasting as regards programme content and formulation, and the time when the programmes are broadcast,
10. comply with the provisions regarding corrections in Chapter 5 Section 4 paragraph 1,
11. broadcast replies,
12. in broadcasting operations respect individuals' rights to privacy,
13. broadcast a diversified range of programmes,
14. broadcast and produce programmes regionally,

15. broadcast announcements which are of importance for the general public without charge if so requested by an authority,
16. devise broadcasts in a manner that ensures that reception is not confined to a limited section of the public in the broadcasting area, and
17. prepare a contingency plan for operations during a high-level alert and in exceptional circumstances in peacetime, and submit the plan to the Government and to the authority designated by the Government. Act (2012:702).

Licence period

Section 4. A licence issued by the Government to broadcast radio programmes shall be valid for a specific time as determined by the Government. Act (2012:702).

Statement regarding licensing conditions

Section 5. Prior to making a decision to grant a licence, the applicant shall be given an opportunity to read and express an opinion on the conditions which the Government or the Press and Broadcasting Authority intends to include in the licence.

Decisions to grant broadcasting licences may not contain programme-related conditions other than those accepted by the applicant. Act (2015:808).

Chapter 12 Licence to broadcast community radio

Grantor of licences

Section 1. The Press and Broadcasting Authority grants licences to broadcast community radio. Act (2015:808).

Possibilities to broadcast community radio

Section 2. If an association which can receive a licence in accordance with Section 4 so requests and it is technically feasible, it shall be possible for the association to broadcast community radio programmes in one municipality.

More than one community radio programme may be broadcast simultaneously in the municipality if there are special reasons for this. Act (2012:702).

Broadcasting areas

Section 3. A broadcasting area for community radio is to be restricted to no more than one municipality. Outside metropolitan areas, efforts should be made to ensure that broadcasts can be received throughout the municipality.

In exceptional cases, the Press and Broadcasting Authority may approve broadcasting areas that are larger than a single municipality. Act (2015:808).

Associations that may obtain a licence

Section 4. A licence to broadcast community radio may only be granted to the following legal entities, namely

1. non-profit associations with ties to the broadcasting area,
2. registered religious organisations and registered organisational parts of registered religious organisations with ties to the broadcasting area, or
3. community radio associations.

When making an assessment of whether a non-profit association has ties to the broadcasting area, special consideration shall be given to where

1. the association's studio and other operating premises are located,
 2. the responsible editor for the broadcast and the association's board members reside,
- and
3. the general meeting of the association and board meetings are held.

Requirement of a responsible editor

Section 5. A licence to broadcast community radio may only be granted after an association has designated a natural person with editorial responsibility in accordance with the Fundamental Law on Freedom of Expression.

Impediments to receiving a licence

Section 6. A licence to broadcast community radio may not be issued to the holder of a licence to broadcast commercial radio.

The broadcasting licence for community radio shall not be valid if the licence holder obtains a licence to broadcast commercial radio. A licence to broadcast community radio ceases to be valid as from the date on which broadcasts are permitted pursuant to the licence to broadcast commercial radio.

Broadcasting hours

Section 7. If the licence holders cannot agree on the allocation of broadcasting hours, the Press and Broadcasting Authority will decide these hours. The same shall apply if a licence holder requests that the Authority shall determine the entire broadcasting schedule.

The licence holder that can be deemed to have the greatest interest in broadcasting at a certain time of the day shall be given priority.

The Press and Broadcasting Authority's decision regarding broadcasting hours shall continue in force until the Authority issues a new decision, or until a licence holder or community radio association notifies the Authority in writing that the licence holders have agreed on other broadcasting hours. Act (2015:808).

Section 8. The Press and Broadcasting Authority may decide that certain broadcasting hours may not be used by anyone else during a maximum period of three months, if a holder of a community radio, licence who has received an order with a conditional fine according to this Act, gives up broadcasting hours or surrenders its broadcasting licence.

A transmitter for community radio may not be used for other broadcasts for which a licence is required pursuant to this Act. Act (2015:808).

Licence Period

Section 9. A licence to broadcast community radio is valid for a certain period.

Chapter 13. Licence to broadcast commercial radio

Grantor of licences

Section 1. A licence to broadcast commercial radio is granted by the Press and Broadcasting Authority. Act (2015:808).

Analogue commercial radio

Broadcasting areas

Section 2. The Press and Broadcasting Authority shall determine the boundaries of the broadcasting areas for analogue commercial radio in view of

1. what is technically possible to reach from a transmitter in a suitable location,
2. how the conditions for receiving broadcasts are affected in other areas, and
3. what constitute natural local areas of interest.

The broadcasting areas must be designed so that a large number of licences can be granted. Several licences can be granted for the same broadcasting area. Act (2015:808).

Section 3. A licence to broadcast analogue commercial radio means the right to operate broadcasts that can be received with good audibility within the broadcasting area indicated in the licence.

Who may obtain a licence

Section 4. A licence to broadcast analogue commercial radio may only be granted to a natural or legal person that has adequate financial and technical resources to broadcast during the entire licence period.

The State, county councils or municipalities may not hold a licence to broadcast analogue commercial radio, whether directly or indirectly through

1. a company which has one or more parties with an interest totalling at least twenty per cent of all the shares or interests, or has sole determining influence as a result of an agreement, or
2. a company that under Chapter 1 Section 4 of the Annual Accounts Act (1995:1554) is a subsidiary of a company described under paragraph 1 above.

Section 5. No entity is allowed to hold more than one licence to broadcast analogue commercial radio within a broadcasting area unless there are special reasons for this.

Application

Section 6. The Press and Broadcasting Authority shall make a public announcement when broadcasting frequencies becomes available in a given area. The announcement must state the final application date for the licence, the earliest date on which broadcasts may be made pursuant to the licence, and the extent of the broadcasting area.

In their application for a licence to broadcast analogue commercial radio, applicants shall state the amount they are willing to pay as a broadcasting fee. The broadcasting fee shall be stated as a single payment for the entire period of the licence.

The Government or the authority designated by the Government notifies regulations regarding the application procedure and what an application shall contain. Act (2015:808).

Parties' right to access information

Section 7. In such a matter as described in Section 6, the provisions in Section 17 of the Administrative Procedure Act (1986:223) regarding the right for parties to access information shall not apply to information concerning another applicant.

Who shall be granted a licence

Section 8. A licence to broadcast analogue commercial radio shall be granted to the applicant who fulfils the requirements of Section 4, and who has offered the highest broadcasting fee.

If two applicants have offered the same amount, the granting of the licence shall be determined by drawing of lots.

Conditions

Section 9. A licence to broadcast analogue commercial radio may be made subject to conditions that impose an obligation to

1. broadcast the programme in a certain part of the broadcasting area or to reach a certain part of the population within the area,
2. broadcast for a certain minimum time,
3. utilise a specific transmission technology and cooperate with other licence holders on technical matters, and
4. use a certain technique for recordings described in Chapter 16 Section 11.

Prior to making a decision to grant a licence, the Press and Broadcasting Authority shall give the applicant an opportunity to read and express an opinion on the conditions which the Authority intends to include in the licence. Act (2015:808).

Payment of broadcast fee

Section 10. The party who has obtained a licence to broadcast analogue commercial radio shall pay the broadcasting fee stated in the application.

Section 11. The obligation to pay the broadcasting fee commences on the day broadcasts pursuant to the licence are allowed to begin.

Interest

Section 12. Interest shall be paid on the broadcast fee from the day stated in Section 11. The interest shall be calculated in the manner indicated in Section 6 of the Interest Act (1975:635).

When payment is considered made

Section 13. The broadcast fee and interest shall be paid by depositing the amount in the special account indicated by the Press and Broadcasting Authority. Payment shall be deemed to have been made on the day the amount is credited to the account.

Enforcement

Section 14. Decisions regarding the broadcasting fee and interest may be enforced if the fee or interest is due but not paid.

Liability to pay and collection

Section 15. Regarding the fee and interest stated in Section 14, the following apply: Chapter 59 Sections 13, 16, 17, 21, 26 and 27 and Chapter 70 Sections 1–4 of the Tax Procedure Act (2011:1244).

When applying the first paragraph, that which is stated in the Tax Procedure Act regarding the Tax Agency shall apply instead to the Press and Broadcasting Authority. Act (2015:808).

Partners in a partnership

Section 16. The Press and Broadcasting Authority decides on issues regarding the liability of partners in a partnership for the broadcasting fee according to Chapter 2 Section 20 of the Partnership and Non-registered Partnership Act (1980:1102).

If a decision has been made pursuant to the first paragraph, provisions relating to the liability of licence holders shall apply to partners who are liable, and the provisions regarding the broadcast fee shall apply to amounts for which the partner is liable. Act (2015:808).

Respite for payment of the broadcasting fee and interest

Section 17. If there is reason to do so, the Press and Broadcasting Authority may grant a respite for payment of the broadcasting fee and interest. Act (2015:808).

Transfer of licence

Section 18. A licence to broadcast analogue commercial radio may be transferred if approved by the Press and Broadcasting Authority. This approval may only be granted if the acquiring party fulfils the conditions in Section 4 paragraph 2.

If the acquiring party already has a licence in the same broadcasting area to which the transfer relates, directly or indirectly, through a company in which the acquiring party has an interest corresponding to twenty per cent of all the shares or interests, or has sole determining influence as a result of an agreement, the transfer may only be allowed if there are special reasons for doing so.

A transfer which is not granted is null and void. Act (2015:808).

Section 19. A party that acquires a licence takes over the transferor's rights and obligations under this Act after the decision granting consent has been issued.

If the previous licence holder has been notified of an order under Chapter 17 Section 11, indents 3 or 8, the order also applies to the new licence holder. The Press and Broadcasting Authority must notify the new licence holder of this condition in connection with the approval of the transfer. Without this notification the order will not apply to the new licence holder. A conditional fine that has been imposed as part of the order shall not apply to the new licence holder. Act (2015:808).

Payment of a broadcasting fee for a subsequently void licence

Section 20. A licence holder who transfers the licence has no right to regain any part of the broadcasting fee already paid. The same applies if a licence

1. is revoked at the request of the licence holder pursuant to Section 31,
2. ceases to be valid pursuant to Section 32 as a result of the licence holder being declared bankrupt, commencing liquidation or dying, or
3. is revoked by the Press and Broadcasting Authority pursuant to Chapter 18 Section 5.

Section 21. The provisions in the Tax Procedure Act (2011:1244) regarding attachment shall apply to the broadcasting fee according to this Act. Act (2011:1436).

Digital commercial radio

Broadcasting frequencies

Section 22. The Government decides the broadcasting frequencies to be allocated for digital commercial radio in various parts of Sweden.

Who may obtain a licence

Section 23. A licence to broadcast digital commercial radio may only be granted to a natural or legal person that

1. has adequate financial and technical resources to broadcast during the licence period, and
2. is prepared to cooperate with other licence holders on technical matters.

No licence may be granted to parties described in Section 4 paragraph 2.

Application

Section 24. When broadcasting frequencies for broadcasting digital commercial radio becomes available, the Press and Broadcasting Authority shall announce this publicly. The Authority must state the final application date for the licence, the earliest date on which broadcasts may be made pursuant to the licence, and the extent of the broadcasting frequencies.

The Government or the authority designated by the Government issues regulations regarding the application procedure and the content of the applications. Act (2015:808).

Fees

Section 25. The Press and Broadcasting Authority may charge a fee to a party that applies for a licence to broadcast digital commercial radio or an approval of a transfer of such a licence.

The fee should be equivalent to the Authority's costs for handling these matters. Act (2015:808).

Considerations when granting a licence

Section 26. When granting a licence for digital commercial radio, the Press and Broadcasting Authority must take into consideration that the frequencies can be utilised

1. for different programme services so that the broadcasts will appeal to a variety of interests and tastes,
2. for national as well as local and regional programme services, and

3. by a number of mutually independent broadcasting companies. Act (2015:808).

Licence conditions

Section 27. In addition to the conditions set out in Section 9, a licence to broadcast digital commercial radio may be made subject to conditions that impose an obligation

1. to broadcast a diversified range of programmes,
2. to devise the broadcasts in such a way so that these are accessible to persons with functional impairments, and
3. not to significantly change the ownership structure and influence within the company that holds the licence.

Prior to making a decision to grant a licence, the Press and Broadcasting Authority shall give the applicant an opportunity to read and express an opinion on the conditions which the Authority intends to include in the licence. A decision to grant licences may not contain other programme-related conditions than those accepted by the applicant. Act (2015:808).

Transfer of licence

Section 28. A licence to broadcast digital commercial radio may be transferred if this is approved by the Press and Broadcasting Authority. This approval may only be granted if

1. the acquiring party fulfils the conditions in Section 23,
2. the transfer will not increase the concentration of ownership among those with licences to broadcast digital commercial radio more than to a limited extent, and
3. the transfer will not cause a significant reduction of diversity in the range of programme services requiring a licence.

A transfer that is not approved is null and void. Act (2015:808).

Section 29. A party that acquires a licence takes over the transferor's rights and obligations pursuant to this Act after the decision granting approval.

If the previous licence holder is subject to an order under Chapter 17 Section 11, indent 3 or 8, the order will also apply to the new licence holder. The Press and Broadcasting Authority must notify the new licence holder of this condition in connection with the approval of the transfer. Without this notification the order will not apply to the new licence holder. A conditional fine that has been imposed as part of the order shall not apply to the new licence holder. Act (2015:808).

Common provisions

Licence Period

Section 30. A licence to broadcast commercial radio is valid for eight years.

If there are special reasons for it, the Press and Broadcasting Authority may decide that a licence will be valid for a shorter time period.

The period of validity for licence conditions may be shorter than the period of the licence. Act (2015:808).

Request for revocation of licence

Section 31. If a licence holder requests that the licence be revoked, the licence will be deemed to cease to be valid on the day the request has been received by the Press and Broadcasting Authority, or on a later day indicated by the licence holder in the request. Act (2015:808).

Revocation of the licence due to bankruptcy, liquidation or death.

Section 32. If a licence holder is declared bankrupt or commences liquidation, the licence shall cease to be valid three months after the declaration of bankruptcy or the decision to commence liquidation. If the licence holder dies, the licence shall continue to be valid for three months after the date of death.

If a request for consent to transfer the licence has been received by the Press and Broadcasting Authority before the licence terminates according to the first paragraph, the request shall be considered. Act (2015:808).

Chapter 14. Content of radio broadcasts

General requirements

Section 1. A broadcaster of radio programmes licensed by the Government shall ensure that the overall programme operations reflect the fundamental concepts of a democratic constitution, the principle that all persons are of equal value and the freedom and dignity of the individual. Act (2012:702).

Undue prominence of commercial interests

Section 2. Radio programmes that are not commercial advertising may not improperly promote commercial interests. This means that programmes may not

1. promote purchases or rental of goods or services, or contain sales-promotional features, or
2. promote a product or service in an improper manner.

Messages in advertising

Section 3. In broadcasts subject to conditions on impartiality, there may be no messages broadcast at the request of a third party which are aimed at gaining support for political or religious opinions or opinions regarding labour market issues.

These messages shall be considered as advertisements according to Chapter 3 Section 1.

Programme range in a community radio association

Section 4. A community radio association's programme range may contain only

1. broadcasts from events of common interest to the licence holders,
2. information to a limited extent regarding municipal matters,
3. information regarding programmes and programme schedules, as well as other information about local community radio activities, and
4. test broadcasts of programmes, produced by legal entities that are eligible to obtain licences to broadcast community radio, in each case for a maximum of three months.

Warning messages in commercial radio

Section 5. Warning messages that are of importance to the public and which will protect persons, property or the environment shall be broadcast free of charge through commercial radio at the request of an authority.

Requirements for Swedish programmes in broadcasts with a Government licence

Section 6. Unless there are special reasons to the contrary, radio broadcasts licenced by the Government shall contain a large proportion of programmes in the Swedish language, programmes with artists active in Sweden and works by creators that are active in Sweden.

Requirements for broadcast designations

Section 7. A party that broadcasts radio programmes pursuant to this Act shall use a designation for its broadcasts which has been approved by the Press and Broadcasting Authority. The designation must be mentioned at least once per broadcasting hour, or, if this is not possible, between the programmes. Act (2015:808).

Chapter 15. Commercial advertising, other advertisements and sponsorship

Advertisement signature

Section 1. Before and after every broadcast of advertisement there must be a special signature that clearly separates the advertising from the rest of the content.

The Government may grant exemptions from this obligation with respect to broadcasts for which the Government grants a licence.

Provisions regarding the identification of commercial advertising can be found in Section 9 of the Marketing Practices Act (2008:486).

Advertising time for radio broadcasts

Section 2. Advertising in a radio broadcast may not be broadcast for more than twelve minutes per every full hour. If the broadcasting time does not entail one hour full hour, advertising may be broadcast for a maximum of fifteen per cent of the broadcasting hours.

Information about the party providing an advertisement

Section 3. In the case of an advertisement that is not commercial advertising which appears in a radio broadcast, the party providing the advertisement must be clearly stated.

Persons who may not appear in advertising

Section 4. Persons who have a prominent role in radio broadcasts that primarily involve news or news commentaries may not appear in advertising.

Commercial advertising for alcohol and tobacco

Section 5. The provisions prohibiting commercial advertising for alcoholic beverages and tobacco products are found in Chapter 7 Section 3 of the Alcohol Act (2010:1622) and in Section 14 of the Tobacco Act (1993:581). Act (2010:1635).

Commercial advertising for infant formula

Section 5 a. Provisions prohibiting commercial advertising for infant formula are found in the Act (2013:1054) on Marketing of Infant Formulas. Act (2013:1056).

Commercial advertising for medicinal products

Section 6. Prohibitions against certain types of marketing of medicinal products can be found in the Medicinal Products Act (2015:315). The Medicinal Products Act states that its provisions are monitored by the Medical Products Agency. Act (2015: 326).

Exemption for self-promotion

Section 7. The provisions in this chapter do not apply to commercial advertising used by a broadcaster to advertise its own programme operations.

Programmes that may not be sponsored

Section 8. Radio programmes that mainly concern the news or contain news commentary may not be sponsored.

Those who may not sponsor programmes

Section 9. Radio programmes may not be sponsored by any party whose principal activity is to manufacture or sell alcoholic beverages or tobacco products.

Sponsorship of infant formula

Section 9 a. If a company that produces or sells infant formula sponsors a programme in a radio broadcast, the sponsorship may not promote the use of infant formula, but only the company's other products and its reputation. Act (2013:1056).

When sponsorship messages must be communicated

Section 10. A party broadcasting a sponsored radio programme is required to indicate who has contributed to the financing. Such a message must be communicated in an appropriate manner at the beginning and end of the programme or at either one of these occasions.

The sponsorship message may not have any sales-promoting content.

Common provisions

Chapter 16. Review and supervision

Review by the Chancellor of Justice

Section 1. Using post-broadcast reviews, the Chancellor of Justice monitors whether programmes that have been broadcast on TV or provided through on-demand TV contain portrayals of violence or pornographic images in violation of Chapter 5 Sections 2 or 3.

Review by the Broadcasting Commission

Section 2. Using post-broadcast reviews, the Broadcasting Commission monitors whether programmes that have been broadcast on TV, searchable Teletext or radio or provided through on-demand TV comply with this Act and the programme-related conditions that may apply to those services. The Commission also monitors compliance with the provisions regarding accessibility in Chapter 5 Section 12 if the decision has been issued by the Government.

Broadcasts that are provided pursuant to a retransmission licence according to Chapter 4 Section 7 shall not be reviewed by the Broadcasting Commission.

If the Broadcasting Commission finds that a broadcast or a provided service contains portrayals of violence or pornographic images in violation of Chapter 5 Sections 2 or 3, the Commission shall notify the Chancellor of Justice. Act (2015:662).

Supervision by the Press and Broadcasting Authority

Section 3. The Press and Broadcasting Authority monitors broadcasters' compliance with the conditions pursuant to Chapter 4 Section 9, indents 1–4, 6–9, 16 and 17, Chapter 11 Section 3 paragraph 2, indents 1–3, 5–8, 16 and 17 and Chapter 13 Section 9 and Section 27 paragraph 1 indent 3.

The Press and Broadcasting Authority also monitors compliance with the provisions concerning exclusive rights in Chapter 5 Section 9, and accessibility in Chapter 5 Section 12 in the event the decision regarding accessibility has been issued by the Authority. Act (2015:808).

Supervision by the Consumer Ombudsman

Section 4. The Consumer Ombudsman monitors compliance with the provisions regarding commercial advertising in Chapter 8 Section 7 paragraph 1, Sections 8 and 9, Section 14 paragraphs 1 and 2, and Chapter 15 Section 4.

Reports regarding European productions

Section 5. A party that broadcasts TV in other ways than through cable shall report to the Press and Broadcasting Authority every two years, starting in 2011, how large a share of their operations consisted of programmes described in Chapter 5 Section 7 paragraph 1. Act (2015:808).

Section 6. A party that provides on-demand TV in other ways than through cable shall report to the Press and Broadcasting Authority every four years, starting in 2011, what has been done to promote the production of and access to European productions according to Chapter 5 Section 8. Act (2015:808).

Obligation to submit information for parties broadcasting TV programmes via satellite

Section 7. Upon a request from the Press and Broadcasting Authority, any party broadcasting TV programmes via satellite must provide information about the owner of the company and the manner in which the operations are financed. Act (2015:808).

Obligation to submit information for satellite operators

Section 8. Upon a request from the Press and Broadcasting Authority, a satellite operator must provide information regarding its client, the client's address, the designation of the programme service and the manner in which the satellite broadcast is carried out. Act (2015:808).

Obligation to submit information for parties engaged in operations requiring a licence

Section 9. Upon a request from the Press and Broadcasting Authority or the Consumer Ombudsman, any party that carries out operations requiring a licence according to the Act must provide the authorities with information and documents necessary to verify that operations are being conducted in accordance with this Act as well as the conditions and provisions issued pursuant to this Act. Act (2015:808).

Other obligations to submit information

Section 10. Upon request by the Press and Broadcasting Authority, a party that carries out operations requiring a licence according to the Act must provide the Authority with the information required for the Authority's Broadcasting Commission to determine the amount of the special fee pursuant to Chapter 17 Section 6. Act (2015:808).

Obligation to provide recorded programmes

Section 11. A party that, in accordance with Chapter 5 Section 3 of the Act containing Regulations relating to the Freedom of the Press Act and the Fundamental Law on Freedom of Expression (1991:1559), has recorded a programme shall submit such a recording to the Press and Broadcasting or the Consumer Ombudsman free of charge upon a request from the Authority. Act (2015:808).

Obligation to report for those who hold a licence to broadcast commercial radio

Section 12. A party that holds a licence to broadcast digital commercial radio must annually submit a report to the Press and Broadcasting Authority confirming its fulfilment of the obligations referred to in Chapter 13 Section 27 paragraph 1 indents 1 and 2. Act (2015:808).

Notification by those who have acquired an exclusive right

Section 13. A party that has acquired exclusive broadcasting rights to an event referred to in Chapter 5 Section 9 must immediately notify the Press and Broadcasting Authority of this fact. Act (2015:808).

About The Broadcasting Commission

Section 14. The Broadcasting Commission consists of a chairman and six other members. The Government decides the number of deputy members. At least one of the members or deputy members shall be a vice-chairman. The chairman and vice-chairman shall be active or former permanent judges.

A quorum of the Broadcasting Commission is present if the chairman or a vice-chairman and three other members are present. However, issues which are obviously neither of major importance nor significant as a matter of principle may be determined by the chairman or a vice-chairman.

In the event of a difference of opinion in the course of a deliberation by the Broadcasting Commission, the provisions of Chapter 16 of the Code of Judicial Procedure are to be applied.

Cooperation between authorities

Section 15. If a television broadcast wholly or mostly directed to Sweden by a broadcaster established in another EEA State contravenes Chapter 6 Section 2 paragraph 2 indents 1 or 2 regarding product placement of alcoholic beverages or Chapter 7 Section 2 regarding the prohibition on programmes sponsored by a party whose primary business is to manufacture alcoholic beverages, a competent authority in Sweden shall contact a competent authority in the other EEA State in order to request the broadcaster to comply with the provision.

The same applies if the TV broadcast mentioned in the first paragraph above contravenes Chapter 8 Section 7 or 8, or Chapter 7 Section 3 of the Alcohol Act (2010:1622).

If the broadcaster fails to comply with the request in the first paragraph, the authority may take actions against the broadcaster pursuant to Chapter 16 Section 10, Chapter 17 Sections 5 and 6, as well as Sections 29 and 48 of the Marketing Practices Act (2008:486) in the event that the broadcaster in question was established in that country in order to circumvent the stricter rules that would have been applied had it been established in the country whose authorities would take action. The authority may not take action until it has notified the European Commission and the Member State affected and the Commission has decided that the actions are compatible with EU law. Act (2010:1635).

Section 16. If a regulatory authority in another EEA State has submitted a justified request, a competent Swedish authority shall request a broadcaster under Swedish jurisdiction to comply with the provisions of the other EEA State if:

1. the broadcaster provides a TV broadcast that is wholly or mostly directed to the other EEA State, and
2. in the case of a violation of a provision in the public interest that is stricter than the provisions of the AVMS Directive in its original wording.

Provisions regarding the right of an individual to gather and publish information and the prohibition against censorship can be found in Chapter 1 Sections 2 and 3 of the Fundamental Law on Freedom of Expression.

Section 17. The Government or the authority designated by the Government is empowered to issue more detailed regulations regarding cooperation between authorities according to Sections 15 and 16.

Chapter 17. Penalties, special fees and conditional fines

Broadcasting without a licence

Section 1. A party that intentionally or negligently broadcasts programmes without a licence when a licence is required pursuant to this Act will be fined or sentenced to imprisonment for a maximum term of six months.

Broadcasting from the open sea

Section 2. A party that intentionally or negligently broadcasts from a radio station on the open sea or in the air space above it, or establishes or owns such a station, will be fined or sentenced to imprisonment for a maximum term of six months if

1. the broadcast is intended to be received or can be received in a signatory country of the European Agreement for the Prevention of Broadcasts Transmitted from Stations Outside National Territories, or
2. the transmission has detrimental effects on the use of radio in any of these countries.

A party that commits such an offence abroad will be tried, if he or she is in Sweden, in accordance with this Act in a Swedish court, even if Chapter 2 Section 2 or 3 of the Penal Code is not applicable and notwithstanding Chapter 2 Section 5 a paragraphs 1 and 2 of the Penal Code.

Prosecution may only be initiated pursuant to an order by the Government or a an authority determined by the Government against

1. Swedish citizens, for offences involving broadcasts which are not intended to be received or cannot be received in Sweden and which do not have a detrimental effect on the use of radio in Sweden, or
2. foreign citizens, in cases other than those stated in Chapter 2 Section 5 of the Penal Code.

Violations of the notification requirement

Section 3. A party who intentionally or negligently fails to fulfil the notification requirement under Chapter 2 Section 2 will be fined.

Confiscation

Section 4. Property which has been used in connection to crimes according to Section 2 shall be declared forfeited, unless this is manifestly unreasonable. The value of the property may be forfeited instead of the property. The proceeds from the offence are also forfeited, unless this is manifestly unreasonable.

An object that has been used in committing an offence under this Act, or the value of the object, may be forfeited if it is necessary to prevent an offence or if there are other special reasons to do so.

Obligation to pay a special fee

Section 5. A party who disregards the provisions and conditions set forth in this section may be ordered to pay a special fee. This applies to

1. conditions regarding advertising, sponsored programmes and product placement stipulated under Chapter 4 Section 10,
2. the provisions regarding undue prominence of commercial interests in accordance with Chapter 5 Section 5 and Chapter 14 section 2,
3. the provisions in regards to other advertising than commercial advertising in Chapter 5

- Section 6, Chapter 8 Sections 6 and 9, Chapter 14 Section 3, and Chapter 15 Sections 3 and 4,
4. the provisions regarding exclusive rights in Chapter 5 Section 9.
5. the provisions regarding product placement in Chapter 6 Sections 1 and 2, Section 3 paragraph 1 and Section 4,
6. the provisions regarding sponsorship in Chapter 7, Sections 1–3 and 4–8 as well as Chapter 15 Sections 8–10,
7. the provisions regarding advertising in Chapter 8 Sections 1–5, Section 7 paragraph 2, Section 10, as well as Chapter 15 Sections 1 and 2.
8. the provisions regarding virtual advertising and electronic company signs in Chapter 8 Sections 11 and 12, or
9. the provisions regarding commercial advertising in Chapter 8 Section 15.

When considering the question of imposition of a fee, the court shall give particular consideration to the nature, duration and scope of the offence.

The fee shall accrue to the State. Act (2015:808).

The Amount of the special fee

Section 6. The special fee will be decided to no less than five thousand Swedish kronor and not more than five million kronor. The fee should not exceed 10 per cent of the media ser's annual turnover during the preceding financial year.

In determining the amount of the fee, special consideration shall be given to the circumstances considered when determining whether a fee should be imposed and the estimated revenues of the broadcaster as a result of the offence.

When and to whom the special fee should be paid

Section 7. The special fee shall be paid to the Press and Broadcasting Authority within thirty days of the judgement gaining legal force. Act (2015:808).

Collection of unpaid fees

Section 8. Upon failure to pay the special fee within the time stipulated in Section 7, the Press and Broadcasting Authority shall refer the unpaid charge for collection. Collection shall proceed in accordance with the provisions of the Collection of State Receivables Act (1993:891). Act (2015:808).

Actions considered improper according to the Marketing Practices Act (2008:486)

Section 9. In the application of Sections 5, 23 and 26 of the Marketing Practices Act (2008:486), an act that contravenes Chapter 8 Section 7 paragraph 1, Sections 8 and 9, Section 14 paragraphs 1 and 2 and Chapter 15 Section 4 is considered as improper marketing to consumers.

Such an act may result in the imposition of a fee for disruptive marketing practices under the provisions of Sections 29–36 of the Marketing Practices Act (Act 2008:498).

Public announcements of the decisions of the Broadcasting Commission

Section 10. If the Broadcasting Commission has found that a party has failed to observe programme-related conditions decided upon under Chapter 4 Sections 8 and 9, Chapter 11 Section 3 or the provisions regarding correction in Chapter 5 Section 4 paragraph 1, the Commission may order the broadcaster to publicly announce the Commission's decision in an appropriate manner. This decision, however, may not prescribe that publication must take place in the broadcaster's programmes.

The decision may contain an order subject to a conditional fine.

Order to comply with provisions

Section 11. If a party fails to comply with the provisions indicated in this section or with decisions based on those provisions, may be served with orders necessary to secure compliance with the provisions. An order may be subject to a conditional fine. This relates to provisions regarding

1. warnings (Chapter 5 Section 2),
2. licence conditions according to Chapter 4 Section 9 indents 1–4, 6–9 and 16 as well as Chapter 11 Section 3 paragraph 2 indents 1–3, 5–8 and 16,
3. designations (Chapter 5 Section 11 and Chapter 14 Section 7),
4. the obligation to devise TV broadcasts, on-demand TV or searchable Teletext in such a manner that the services are accessible for persons with functional impairments according to Chapter 5 Section 12, and decisions based on that provision,
5. broadcasting obligations or the obligation to provide channels for local cable broadcasting organisations (Chapter 9 Sections 1–3 and 5),
6. content of community radio broadcasts (Chapter 14 Section 4),
7. the obligation to provide certain information to the Press and Broadcasting Authority (Chapter 16 Sections 5–8),
8. the obligation to provide information according to Chapter 16 Section 9,
9. the obligation to provide information to the Press and Broadcasting Authority pursuant to Chapter 16 Section 10,
10. the obligation to provide recordings pursuant to Chapter 16 Section 11, or
11. the obligation to file annual reports with the Press and Broadcasting Authority pursuant to Chapter 16 Section 12.

Orders pursuant to the first paragraph indents 1, 3, 4, 6, 8 and 9 may be issued by the Broadcasting Commission. Orders pursuant to the first paragraph indents 2, 4, 5, 7, 8, 10 or 11 may be issued by the Press and Broadcasting Authority.

Orders pursuant to the first paragraph indents 8 or 10 may also be issued by the Consumer Ombudsman. Act (2015:808).

Orders prohibiting parties with licences to broadcast community radio

Section 12. The Press and Broadcasting Authority may prohibit contravention by the licence holder of decisions regarding broadcasting hours on community radio announced by the Authority, or forbid the licence holder to allow another party to utilise the licence holder's broadcasting rights through an order. The order may be subject to a conditional fine. Act (2015:808).

Orders for those broadcasting portrayals of violence or pornographic images

Section 13. If a party repeatedly broadcasts portrayals of violence or pornographic images on television at times and in a manner referred to in Chapter 5 Section 2, the Chancellor of Justice may order the party concerned not to broadcast such programmes again at times and in a manner that constitutes a significant risk that children may see the programmes. The same shall apply to a party who repeatedly supplies on-demand TV in a manner described in Chapter 5 Section 3. The order may be subject to a conditional fine.

Orders for satellite operators

Section 14. If a party that broadcasts via satellite is not established in Sweden in accordance with Chapter 1 Section 3 paragraph 1 indents 1 or 4, the Broadcasting Commission may issue the orders necessary in the case in question to secure compliance with the provisions and conditions in Section 5. This order may be subject to a conditional fine.

Orders according to Sections 11 or 13 may be directed to a satellite operator, if the party broadcasting via satellite is not established in Sweden in accordance with Chapter 1 Section 3 paragraph 1 indents 1 or 4.

If the satellite operator shows that the party broadcasting by satellite has obtained access to the means of transmission as the result of a concession by one of the satellite contractor's clients without the satellite contractor's approval, orders in accordance with the first or second paragraph may be directed at the client instead.

Chapter 18. Revocation of licences

When a licence shall be revoked

Section 1. A licence to broadcast TV, searchable Teletext or radio programmes shall be revoked at the request of the licence holder. A licence may also be revoked according to Sections 2–5 and 7, or changed according to Sections 2 and 7. Act (2012:702).

Revocation and change of a licence to broadcast TV, searchable Teletext or a licence issued by the Government to broadcast radio programmes

Section 2. A licence to broadcast TV or searchable Teletext or a licence granted by the Government to broadcast radio programmes may be revoked if

1. the licence holder has substantially violated Chapter 5 Sections 1, 2, 4–6 and 12, Chapter 6, Section 1 and Section 2 paragraph 1 and 2 indents 1–3, Section 3 paragraph 1 and Section 4, Chapter 7 Sections 1, 2, 3 and 4–8, Chapter 8 Sections 1–13 and 14, Chapter 14 Sections 1–3 or Chapter 15 Sections 1–5, 6–9 and 10, or
2. a condition to which the licence is subject, according to Chapter 4 sections 8–11 or Chapter 11 section 3, has been ignored in a substantial manner.

A licence to broadcast TV or searchable Teletext or a licence issued by the Government to broadcast radio programmes may be changed to indicate other broadcasting frequencies, if

1. changes in radio technology or changes in the use of radio due to international agreements to which Sweden is a signatory or regulations adopted with the support of the Treaty on the Functioning of the European Union result in the inability to issue a new licence under the same conditions, or
2. it is necessary to provide frequencies for more broadcasts. Act (2015:808).

Revocation of a licence to broadcast community radio

Section 3. A licence to broadcast community radio may be revoked if the licence holder

1. no longer fulfils the requirements of Chapter 12 Section 4, or
2. has not utilised the right to broadcast community radio for three consecutive months.

A licence to broadcast community radio may also be revoked if a court has ruled that a programme constituted an offence against freedom of expression which entails a serious abuse of freedom of expression. It is the court that made the decision regarding the violation of freedom of expression that will decide on revocation of the licence in such a case.

Section 4. A decision to revoke a licence to broadcast community radio may include a ruling that the licence holder may not be granted a new licence for a maximum period of one year.

In cases referred to in Section 3 paragraph 2, the court may decide that the licence holder may not be granted a new licence within a maximum period of one year or, if there are exceptional circumstances, not more than five years. This also applies if, at the time when the offence against the freedom of expression was committed, the licence holder did not have a licence to broadcast community radio at the time of the judgement.

The court may order that the decision is valid until the judgement gains legal force.

Revocation of a licence to broadcast commercial radio

Section 5. A licence to broadcast commercial radio may be revoked if

1. the licence holder has not commenced broadcasting operations within six months of the initial date of the licence,
2. the licence holder has not utilised the right to broadcast or has only broadcast to an insignificant extent for at least four consecutive weeks,
3. the licence holder has significantly contravened one of the provisions in Chapter 14 section 2, and Chapter 15 sections 1–4 and 8–10, or
4. a court has ruled that a programme constitutes an offence against freedom of expression entailing serious abuse of freedom of expression.

If a natural person or a legal entity without the permission of the Press and Broadcasting Authority holds more than one licence to broadcast analogue commercial radio in a broadcasting area directly or indirectly through a company in which the acquirer has a holding which corresponds to at least 20 per cent of all the shares or interests, or has sole determining influence as the result of an agreement, the licence or licences granted after the first licence was granted may be revoked.

If the Press and Broadcasting Authority has permitted a transfer despite the licence holder directly or indirectly already holding an existing licence to broadcast analogue commercial radio in the same broadcasting area through companies in which the licence holder has a holding which corresponds to at least 20 per cent of all the shares or interests, or has sole determining influence as a result of an agreement, the licence may only be revoked if the transfer was based on incorrect or incomplete information from the licence holder. In this case, revocation is limited to the licence or licences transferred.

If the state, county council or municipalities hold a licence to broadcast commercial radio in the manner stated in Chapter 13 Section 4 paragraph 2, the Press and Broadcasting Authority shall revoke such a licence. Act (2015:808).

Revocation of appointment as local cable broadcasting organisation

Section 6. The appointment of a local cable broadcasting organisation may be revoked if there have been no broadcasting operations, or if such operations have only been carried out to an insignificant extent for at least three consecutive months.

Considerations when a licence is revoked or changed

Section 7. A decision on revocation of a licence pursuant to Sections 2–5 may only be issued if, in giving due consideration to the reasons for the measure, it does not appear to be overly severe.

A decision on changes to a licence pursuant to Section 2 paragraph 2 indent 2 may only be issued if the licence holder's rights can be safeguarded pursuant to Chapter 4 Section 4.

Chapter 19. Procedures for cases of revocation, special fees, conditional fines, etc.

Who tries cases of revocation and changes of licence

Section 1. Cases of revocation of licences due to violations of conditions issued based on Chapter 4 section 8, sections 9 indents 10–12, Chapter 11 section 3 paragraph 1 or paragraph 2 indents 9–12 and due to violations of Chapter 5 sections 1, 2 and 4 or Chapter 14 section 1, shall be adjudicated by a general court upon application by the Chancellor of Justice.

In other cases, matters concerning the revocation of licences will be determined by the Press and Broadcasting Authority.

Cases concerning changes to licences to broadcast television programmes or searchable Teletext or licences granted by the Government to broadcast radio programmes will be determined by the body that issued the licence. Act (2015:808).

When may revocation be considered

Section 2. If a licence has been issued by the Government, revocation may only be considered following an application by the Government unless the licence holder has requested that the licence be revoked.

If the licence was issued by the Press and Broadcasting Authority, the question of revocation may be initiated

1. on request by the licence holder
2. on the initiative of the body empowered to try the issue, or
3. after a report by the Broadcasting Commission due to contravention of provisions in this Act, or due to conditions for the licence that will be considered by the Broadcasting Commission pursuant to Chapter 16 Section 2.

A question of changes to a licence may be brought up on the initiative of the body empowered to try the issue, as well as on request by the licence holder.

Before the Press and Broadcasting Authority issues a decision on a case of revocation due to contravention of the provisions in this Act or of conditions for a licence which will be considered by the Broadcasting Commission in accordance with Chapter 16 Section 2, the Authority must request an opinion from the Commission. The licence may only be revoked if the Commission finds that the contravention is significant. Act (2015:808).

Provisions regarding trials

Section 3. The provisions applicable to cases concerning freedom of expression apply to cases covered by paragraph 1 Section 1. The sections of these provisions concerning the defendant are to be applied to the party to which the revocation is directed. The jury's deliberations relate to the question of whether revocation shall be enforced.

The court may order that the judgement shall be valid during the period before it gains legal force.

Who determines issues regarding imposition of special fees, etc.

Section 4. Issues concerning the imposition of special fees are to be adjudicated by the Administrative Court in Stockholm following an application by the Broadcasting Commission.

A special fee may not be imposed if the party to which the claim is directed was not served with a summons application within five years from when the contravention ceased. A decision regarding special fines lapses if the decision is not implemented within five years from the date on which the judgement gained legal force.

Who determines issues regarding imposition of conditional fines

Section 5. Issues concerning the enforcement of conditional fines ordered by the Chancellor of Justice in accordance with Chapter 17 Section 13 are to be adjudicated by a general court following an application by the Chancellor of Justice. The provisions applicable to cases concerning freedom of expression apply to legal proceedings in such cases. The relevant sections of these provisions concerning the defendant are to be applied to the party on which the penalties are imposed. The jury's deliberations shall relate to the issue of whether the conditional fine shall be enforced.

In other cases, issues regarding enforcement of conditional fines shall be adjudicated in accordance with general provisions regarding conditional fines.

Chapter 20. Appeals

Decisions regarding TV broadcasts, searchable Teletext and community radio

Section 1. Decisions by the Press and Broadcasting Authority pursuant to this Act may be appealed to a general administrative court if the decision concerns

1. a licence to broadcast TV, searchable Teletext or community radio,
2. allocation of broadcasting hours with respect to community radio,
3. change or revocation of a licence, or
4. a decision not to permit the transfer of a licence to broadcast TV or searchable Teletext.

Decisions pursuant to the first paragraph enter into force immediately unless otherwise provided. Act (2015:808).

Decisions regarding commercial radio

Section 2. Decisions by the Press and Broadcasting Authority regarding commercial radio may be appealed to a general administrative court if the decision regards

1. rejection of an application for a licence,
2. refusal to grant consent to transfer a licence,
3. revocation of a licence, and
4. a partner in a partnership being held liable pursuant to Chapter 13 section 16.

Cases regarding the appeal of decisions referred to in paragraph 1 indents 1 and 3 shall be handled urgently.

Decisions referred to in the paragraph 1 indents 2 and 3 enter into force immediately unless otherwise provided. Act (2015:808).

Other decisions that may be appealed

Section 3. The following decisions by the Press and Broadcasting Authority may be appealed to a general administrative court:

1. decisions regarding designations according to Chapter 5 section 11 and Chapter 14 section 7,
2. decisions according to Chapter 5 section 12 regarding accessibility for persons with functional impairments,
3. appointment of local cable broadcasting organisations according to Chapter 9 section 5,
4. decisions regarding the revocation of an appointment according to Chapter 18 section 6, and
5. decisions according to Chapter 9 section 7 regarding exemptions from broadcasting obligations and the obligation to provide broadcasting space to local cable broadcasting organisations.

Decisions referred to in paragraph 1 indents 2 and 3 enter into force immediately unless otherwise provided. Act (2015:808).

Orders subject to conditional fines

Section 4. Decisions by the Press and Broadcasting Authority, the Broadcasting Commission or the Consumer Ombudsman regarding orders subject to conditional fines pursuant to Chapter 17 section 10, section 11 paragraph 1 and section 12 may be appealed to a general administrative court.

Orders pursuant to Chapter 17 section 10, section 11 paragraph 1 indents 2, 3, 6 and 8, and section 12, will enter into force immediately unless otherwise provided. Act (2015:808).

Leave to appeal to the Administrative Court of Appeal

Section 5. Leave to appeal is required when appealing a decision made by a general administrative court according to sections 1–4 to the Administrative Court of Appeal.

Decisions that may not be appealed

Section 6. Decisions of the Press and Broadcasting Authority and the Broadcasting Commission other than those specified in sections 1–4 may not be appealed. Act (2015:808).

Transitional regulations

Transitional provisions

2010:696

1. This Act enters into force on 1 August 2010.
2. This Act repeals the Radio and TV Act (1996:844) and the Television and Radio Sector Act for Licence Fees (1992:72).
3. Licences to broadcast TV and radio granted pursuant to the Radio and TV Act (1996:844) will continue to be valid.
4. Parties who have obtained a licence to broadcast TV programmes pursuant to the Radio and TV Act (1996:844) also have the right to broadcast searchable Teletext to a reasonable extent during the rest of the period of their licences.
5. The provisions of Chapter 6 shall apply to the provision of programmes produced after 1 August 2010.
6. Parties who on 1 August 2010 held a broadcasting licence that has been extended pursuant to the Act containing temporary provisions regarding licences to broadcast local radio (2008:418) are entitled to continue to carry on broadcasting within the broadcasting area to which the licence applies until 1 August 2018 without a special application. This type of license is only subject to conditions pursuant to Chapter 13 section. 9 paragraph 1.
7. Parties that broadcast commercial radio and are subject to indent 6 shall pay a fee
 - a) in accordance with sections 15–17 of the repealed Local Radio Act (1993:120), if the licence was issued prior to 1 July 2001, or
 - b) in accordance with section 4 b of the Television and Radio Sector Act for Licence Fees (1992:72) if the licence was originally issued after 1 July 2001.

When the Press and Broadcasting Agency applies Section 17 second paragraph in the repealed Local Radio Act regarding the fee referred to in the first paragraph a, the Authority shall make a proportional reduction of the fee for each license holder so that the total fees charged per year for all licences will be reduced by a total of SEK 12 million. Act (2015:808).

2011:1436

1. This Act enters into force on 1 January 2012.
2. Older regulations still apply to conditions relating to the period before its entry into force.

2011:1558

1. This Act enters into force on 1 January 2012.
2. The Broadcasting Authority shall determine the amount to be paid in 2012 by 31 January 2012 at the latest.