

Sweden– national procedures for mutual legal assistance on laundering,
search, seizure and confiscation of proceeds of crime (ETS No. 141)
Updated 16/10/2017

The information contained in this table should be updated on a yearly basis.

Procedure for search (asset-tracing) and seizure	
The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for mutual legal assistance (including freezing and seizure):	Ministry of Justice Division for Criminal Cases and International Judicial Co-operation, Central Authority SE-103 33 STOCKHOLM Sweden Tel: +46 8 405 45 00 Fax: +46 8 405 46 76 E-mail: ju.birs@gov.se
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	Regarding requests for service of documents under Article 21 of the Convention, the County Administrative Board of Stockholm is the central authority. County Administrative Board of Stockholm Box 22067 SE-104 22 Stockholm Tel: +46 10-223 10 00 Fax: +46 10-223 11 10
Channels of communication for the request for mutual legal assistance (directly, or other):	The request can be sent directly to the Central Authority.
Means of communication (e.g. by post, fax, e-mail ¹):	A request for legal assistance shall be made in writing by post, fax or, upon agreement in the particular case, in another manner, e.g. by e-mail.
Language requirements:	The request and enclosed documents shall be written in Swedish, English, Danish or Norwegian or be accompanied by a translation into one of these

	languages.
Double criminality requirement, if applicable:	Double criminality is required.
Other requirements: for example a link between the proceeds and the criminal offence, or that a request for the confiscation judgment or measure will be made later, or that leave is given by a judge for the seizure of assets/goods:	For seizure it is required that a confiscation order from the requesting MS can be enforced in Sweden. A request for provisional attachment should, when appropriate, contain information about when prosecution will be instituted or a judgement can be issued in the requesting state.
Modalities/requirements for the execution of MLA requests for investigative assistance (search, tracing, special investigative techniques), existence of a central register of real estate/ bank accounts, duration of preservation of bank data, etc.:	
Limitation of use of evidence obtained:	
Modalities/requirements related to the execution of provisional measures (freezing, prejudgment seizing) including lifting of these measures (possibilities to seize (im)movable properties) and applicable time limits, if any:	Property that has been confiscated or that can reasonably be assumed to be confiscated as a result of an offence may be seized. A decision on provisional attachment may be made for so much of the assets of the person concerned as correspond to the value of that which has been confiscated or reasonably may be assumed to be confiscated. At the request of a prosecutor a court shall decide on the provisional attachment of confirm the seizure executed. The court shall also decide how long the measure may continue. The time determined may be extended if there are reasons

¹ Please indicate if encryption or electronic signature is required.

	to do so.
Available asset management system including preservative measures, (for example prejudgment selling), concerning the seized goods:	
Procedure for confiscation/ Recognition of foreign decisions. Recovery of confiscated assets.	
The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for Confiscation/ recognition of foreign judgments/decisions/measures:	Ministry of Justice Division for Criminal Cases and International Judicial Co-operation, Central Authority SE-103 33 STOCKHOLM Sweden Tel: +46 8 405 45 00 Fax: +46 8 405 46 76 E-mail: ju.birs@gov.se
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Language requirements:	The request and enclosed documents shall be written in Swedish, English, Danish or Norwegian or be accompanied by a translation into one of these languages.
Document requirements and modalities/requirements for the procedure of confiscation:	The request shall include the confiscation order in original or a certified copy of it and a certificate that the order is enforceable.
Other requirements, if applicable: For example: a link between the proceeds and the criminal offence. In case of money laundering, what are the requirements for the predicate offence(s):	
Procedure /possibilities to trace assets/proceeds when a (foreign) confiscation order is already given:	
Procedure for sharing of assets, if applicable:	The Swedish Government can, upon request from the Requesting State, decide to share part of or all of what has been confiscated with the Requesting State.
Where applicable, limitations to the possibility for the requesting state to serve judicial documents directly to the persons concerned:	
Other particularly relevant information on special types of assistance	

Non Conviction Based Confiscation:	
MLA regarding liability of legal persons (criminal, civil or administrative):	MLA can be afforded in legal proceedings relating to the investigation of or prosecution of a legal person
Other information (for example, extended confiscation, confiscation for the purpose of victims):	Extended confiscation is, under certain circumstances, possible.
Links to national legislation, national guides on procedure:	