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Fourth Interim Report

Third Evaluation Round

Fourth Interim **Compliance Report** **on Sweden**

“Transparency of Party Funding”

Adopted by GRECO
at its 66th Plenary Meeting
(Strasbourg, 8-12 December 2014)

I. INTRODUCTION

1. The Third Round Evaluation Report on Sweden was adopted at GRECO's 41st Plenary Meeting (19 February 2009) and made public on 31 March 2009, following authorisation by Sweden (Greco Eval III Rep (2008) 4E [Theme I](#) / [Theme II](#)).
2. As required by GRECO's Rules of Procedure, the Swedish authorities have submitted situation reports on measures taken to implement the recommendations. GRECO selected Finland and Poland to appoint Rapporteurs for the compliance procedure.
3. In the Compliance Report, which was adopted by GRECO at its 50th Plenary Meeting (1 April 2011), GRECO concluded that Sweden had implemented satisfactorily or dealt with in a satisfactory manner three of the ten recommendations contained in the Third Round Evaluation Report, all relating to Theme I ("Incriminations"). In view of the fact that none of the recommendations concerning Theme II ("Transparency of party funding") had been complied with, GRECO categorised the overall response to the recommendations as "globally unsatisfactory" (within the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure). GRECO therefore decided to apply Rule 32 concerning members found not to be in compliance with the recommendations contained in the Evaluation Report.
4. In the first Interim Compliance Report, which was adopted by GRECO at its 53rd Plenary Meeting (9 December 2011), GRECO concluded that despite some positive signals from the Swedish authorities to provide more transparency in respect of political financing - through an up-dated self-regulation agreement between the parties represented in Parliament - the level of compliance with the recommendations remained "globally unsatisfactory", as no tangible results had been achieved. In accordance with Rule 32, paragraph 2 subparagraph (ii) of its Rules of Procedure, GRECO instructed its President to transmit a letter to the Head of Delegation of Sweden, drawing attention to the need for determined action with a view to achieving tangible progress as soon as possible.
5. In the Second Interim Compliance Report, which was adopted by GRECO at its 58th Plenary Meeting (7 December 2012), GRECO noted that the Government had decided to initiate a process aimed at increasing the transparency of political financing in Sweden through legislation. In spite of this positive signal from the Swedish authorities, the level of compliance with the recommendations remained "globally unsatisfactory" as no tangible results had been achieved.
6. In the Third Interim Compliance Report, which was adopted by GRECO at its 62nd Plenary Meeting (2-6 December 2013) it was noted that the Government was in the process of finalising draft legislation and that the recommendations in the Evaluation Report were under consideration in this context. GRECO welcomed the significant measures underway; however, in the absence of legislation or finalised draft legislation, it could not conclude that the recommendations had been implemented, not even partly. Consequently, the level of compliance with the recommendations remained "globally unsatisfactory" and the authorities were again requested to report on this matter. The authorities submitted new information on 30 September and 3 November 2014.
7. The current Fourth Interim Compliance Report, which was drawn up by Mr Juha KERÄNEN, Ministry of Justice (Finland), assisted by the GRECO Secretariat, assesses the implementation of the recommendations pending since the adoption of the Third Interim Compliance Report. All these recommendations are relating to Theme II ("Transparency of Party Funding").

II. ANALYSIS

Theme II: Transparency of Party Funding

8. It is recalled that GRECO in its Evaluation Report addressed seven recommendations to Sweden in respect of Theme II. Compliance with these recommendations is dealt with below.
9. The Swedish authorities submit at the outset that, following the preparation of a memorandum in 2013 (DS 2013:31) by the Ministry of Justice, the Government submitted on 20 January 2014 to Parliament (Riksdagen) the Bill on Increased Transparency in respect of the Financing of Parties and Election Candidates (Prop.2013/14:70, "*Ökad insyn i partiers och valkandidaters finansiering*"). Both these documents take due account of GRECO's recommendations to Sweden contained in the Evaluation Report. On 6 March 2014, Parliament adopted two new laws: the new Act on Transparency of Party Financing (SFS 2014:105) and the Act (SFS 2014:106) amending the Act on State Financial Support to Political Parties (SFS 1972:625). The new legislation entered into force on 1 April 2014. The Bill, as well as the legislation referred to, have been made available to GRECO and the new legislation appears as Appendices I and II to this Report.

Recommendation i.

10. *GRECO recommended to widen considerably the range of political parties at central, regional and local level required to keep proper books and accounts (including in connection with election campaigns); to ensure that income, expenditure, assets and debts are accounted for in a comprehensive manner following a coherent format; to seek ways to consolidate the accounts to include local branches of parties as well as other entities which are related directly or indirectly to the political party or under its control; and to make sure that the annual accounts are made public in a way that provides for easy access by the public.*
11. The Swedish authorities report that the concerns of this recommendation have been dealt with in the Government Bill which has led to the new legislation referred to above. In particular, they point out Sections 3, 4, 6 and 12 of the Act on Transparency of Party Financing (Appendix I), as accompanied by the relevant preparatory texts contained in the Government Bill. The application of the Act on Transparency of Party Financing is currently limited to parliamentary and European elections; however, a broader application of the law to cover county and municipal elections is being considered by a committee of enquiry mandated to report its findings by the end of April 2016.
12. GRECO notes that the establishment of legislation in this area represents in itself a paradigm shift from the former system based on self-regulation. More particularly, GRECO notes that the Act on Transparency of Party Financing applies in respect of parties that take part in elections to the Riksdag or to the European Parliament, to those who hold seats in these Assemblies and to those parties which receive state financial support (Section 3). Moreover, Sections 4 and 6 of the same law provide detailed guidance about the reporting requirements. These include the various forms of income and contributions received, such as state support, membership fees, revenues from sales, contributions from parties' organisations, including affiliated organisations, contributions from private persons and companies as well as anonymous donations. Furthermore, the revenue statements are to be submitted to the Legal, Financial and Administrative Services Agency ("*Kammarkollegiet*")¹ for publication on its website. The new legislation is certainly to be welcomed as it provides considerable transparency as to the financing of political parties. That

¹ See also recommendation vi.

said, GRECO notes that the new legislation does not cover the reporting of expenditure, assets and debts (liabilities) contrary to the requirements in the recommendation. Furthermore, the reporting requirements are limited to the central level of the parties. It is also noted that while the legislation requires that the revenue statements are to be made public, which is a step in the right direction, this is not fully in line with the recommendation which requires the annual accounts of the parties to be made public. It follows that more remains to be done in order to fully comply with this recommendation.

13. GRECO concludes that recommendation i has been partly implemented.

Recommendation ii.

14. *GRECO recommended to consider introducing reporting on income and expenditure relating to election campaigns at appropriate intervals and to make sure that relevant information is disclosed in a way that provides for easy access by the public.*
15. The authorities report that all the concerns raised in recommendation ii have been extensively considered in the Government Bill and that the new regulations in Sections 4, 5, 8 and 12 of the Act on Transparency of Party Financing (Appendix I) are the results achieved.
16. GRECO notes that Section 4 of the Act on Transparency of Party Financing obliges parties to cover, in their annual revenue statements, the incomes belonging to the election campaigns of the parties themselves, as well as in respect of personal election campaigns of candidates (affiliated with the party) who have been elected as members (or alternate members) of the Riksdag or the European Parliament. Section 8 of the same Act provides that the details of the reporting requirements relating to the parties also apply in respect of the revenues of the election candidates. As noted above, Section 12 of the Act on Transparency of Party Financing provides for the publication of the revenues on-line.
17. GRECO recalls that this recommendation ultimately aims at establishing specific reporting at appropriate intervals during election campaigns, i.e. a more intensified reporting during campaigns. However, the new legislation only provides that the reporting of election campaign revenues is to be incorporated into the annual revenue reporting of the parties; it does not require any separate or more frequent reporting during the election campaigns. Furthermore, the law requires parties to report on the revenue of “their” election candidates, who run their own campaigns. Aware of the fact that individual election candidates do not play any significant role in the Swedish election system (Evaluation Report paragraph 71), GRECO understands the limit in this respect, although it does not fully meet the expectations of the recommendation. Despite these shortcomings, GRECO notes that limited progress has been made and accepts that the issues included in this recommendation have been duly *considered* by the authorities, as illustrated by the extensive reasoning contained in the Government Bill for not implementing all elements required in the recommendation.
18. GRECO concludes that recommendation ii has been dealt with in a satisfactory manner.

Recommendation iii.

19. *GRECO recommended to introduce a general ban on donations from donors whose identity is not known to the party/candidate and to introduce a general requirement for parties/election*

candidates to report individual donations above a certain value together with the identity of the donor.

20. The Swedish authorities state that there is strong political support in Sweden for abolishing anonymous donations. However, the question of introducing a general ban in the law on such donations has proven to be complex from a constitutional perspective. For that reason, a general ban does not form part of the new legislation. Nevertheless, in order to deal with this matter in the current legislation, the Act on Transparency of Party Financing (Appendix I), Section 6, which requires parties to report anonymous donations, has been complemented by another new provision in the Act amending the Act on State Financial Support to Political Parties (Appendix II), Section 1, which now provides that only those parties which have not received anonymous donations the preceding year are entitled to State funding. Furthermore, a committee of enquiry has been established and mandated to enquire on possibilities for introducing a general ban on anonymous donations and it is to report on its findings by the end of April 2016. As regards the second part of the recommendation, the authorities submit that Sections 2, 7 and 8 of the Act on Transparency of Party Financing provide for the reporting of all types of income (including individual donations) above a certain threshold (regulated by index, currently 22 200 SEK (approx. €2 400), together with the identity of the contributor.
21. GRECO notes that for constitutional reasons a general ban on anonymous donations has not been included in the legislation as yet, although there appears to be strong political support in Sweden for such a measure. However, GRECO also notes that anonymous donations are to be reported by the parties under the new legislation and that those parties that receive such contributions will not be entitled to state funding. GRECO considers that such a sanction appears to be a strong deterrent against receiving anonymous donations, in particular in a country like Sweden where financial state support to the political parties is significant. At the same time, GRECO welcomes that a general ban on anonymous donations remains a subject for further reflection by the Swedish authorities, as a committee of enquiry has been established to consider the possibility of a ban on such donations. This part of the recommendation has been partly implemented. That said, the second part of the recommendation has been implemented in line with the recommendation as Sections 7 and 8 of the Act on Transparency of Party Financing requires that all forms of income above a “threshold value” regulated by index, currently 22 200 SEK (approx. €2 400) are to be reported to the Legal, Financial and Administrative Services Agency (“Kammarkollegiet”).
22. GRECO concludes that Recommendation iii has been partly implemented.

Recommendation iv.

23. *GRECO recommended to consider elaborating a co-ordinated approach for the publication of political financing reports (including party and election campaign financing) in order to facilitate the public’s access to such documents.*
24. The authorities of Sweden report that the current recommendation has been duly considered: Section 12 of the Act on Transparency of Party Financing establishes that the Legal, Financial and Administrative Services Agency (“Kammarkollegiet”) is the authority to receive the revenue statements and notifications in respect of political parties and election candidates and to make these reports publicly available on its website. Moreover, information concerning those that have not submitted revenue statements is also to be published on-line.

25. GRECO acknowledges that the Act on Transparency of Party Financing represents a significant change as compared to the previous situation, where it was entirely up to the parties or candidates concerned to ensure disclosure of their financial statements and where the public had to approach each party or candidate concerned for obtaining any such information. With the new legislation in place it is clear that the revenue statements and notifications, once submitted, become public and as such also accessible from one single authority, namely the Legal, Financial and Administrative Services Agency (“Kammarkollegiet”), including on-line. Sweden has thus not only considered the matter but also implemented a legal framework in full compliance with the recommendation.
26. GRECO concludes that Recommendation iv has been implemented satisfactorily.

Recommendation v.

27. *GRECO recommended to ensure independent auditing in respect of political parties, as appropriate, obliged (or yet-to-be obliged) to keep books and accounts.*
28. The Swedish authorities report that Section 9 of the Act on Transparency of Party Financing provides that the revenue statements are to be audited by the party’s auditor in case the party is obliged to appoint an auditor according to its statutes or under the Auditing Act (1999:1079). The audit concerns the checking of whether the revenue statement has been drawn up in accordance with the requirements of the Act on Transparency of Party Financing and is to be detailed in accordance with auditing standards. The auditor is to attach a written report on the audit to the revenue statement.
29. The authorities also recall that there are general provisions in place on accounting and financial reporting in the 1999 Accounting Act, the 1995 Annual Reports Act and the 1999 Auditing Act. This legislation is applicable, *inter alia*, to all political parties represented in Parliament.
30. GRECO takes note of Section 9 of the Act on Transparency of Party Financing which substantiate that the new obligation to submit revenue statements is accompanied by an obligation to have such statements audited if the party is already obliged to appoint an auditor under its statute or in accordance with the Auditing Act. GRECO welcomes that the revenue statements are to be audited; however, it is concerned that such a requirement is only compelling in respect of parties which are under the obligation to have their ordinary accounts audited (those represented in Parliament are covered, but not all parties). In the Evaluation Report, it was stated that all parties with significant income and expenditure would in principle need to have their accounts audited, while a flexible approach was deemed necessary to exclude insignificant parties from unreasonable burdens (paragraph 74). GRECO firmly believes that this reasoning needs to be applied equally to the revenue statements; i.e. all parties that receive significant contributions (and not only those represented in Parliament) ought to have their revenue statements audited. Under the current Act parties that are not obliged to have their ordinary accounts audited, would neither be obliged to have their revenue statements audited, regardless of the value of the contributions they have to report in the statement. GRECO would find the “appropriate- element” of the current recommendation fulfilled if all parties receiving contributions above the threshold value stipulated in the Act on Transparency of Party Financing would also be obliged to have their statements audited. It follows that the requirement “as appropriate” of this recommendation is not fully met.
31. GRECO concludes that recommendation v has been partly implemented.

Recommendations vi.

32. *GRECO recommended to ensure independent monitoring of political party funding and electoral campaigns, in line with Article 14 of Recommendation Rec(2003)4.*
33. The authorities report that Section 13 of the Act on Transparency of Party Financing establishes the Legal, Financial and Administrative Services Agency ("Kammarkollegiet")² as the supervisory body for the implementation of the provisions of the Act. This body is a state agency, *inter alia*, regulated by the Constitution, the Administrative Procedures Act and the Government Agencies and Institutions Ordinance, reflecting its independence from the central Government. The authorities also refer to the Government Bill 2013/14 pp 76-78 which, *inter alia*, indicates that in the first place it is up to the public to control the political financing and that the supervisory authority primarily has the function of ensuring that those subject to the monitoring follow their legal obligations to make public scrutiny possible.
34. GRECO is pleased that Sweden has now established a dedicated monitoring body for political financing, which represents a major achievement as compared with the previous situation. It recalls that Article 14 of the *Recommendation Rec (2003)4 on common rules against corruption in the funding of political parties and electoral campaigns* requires not only independent monitoring in respect of the funding of political parties and election campaigns (paragraph a), but also monitoring to include supervision over the accounts of political parties and the expenses involved in election campaigns, as well as their presentation and publication (paragraph b). In the light of these requirements, GRECO regrets that the current monitoring is strictly limited to the revenue statements (incomes) of political parties and election campaigns. This scope of the supervision is not in full compliance with Article 14 of Recommendation Rec (2003)4, which requires monitoring of incomes as well as expenditure.
35. GRECO concludes that recommendation vi has been partly implemented.

Recommendation vii.

36. *GRECO recommended that existing and yet-to-be-established rules on financing of political parties and electoral campaigns be accompanied by appropriate (flexible) sanctions, which are effective, proportionate and dissuasive.*
37. The Swedish authorities report that the new rules on transparency of political financing have been accompanied by sanctions available to the new monitoring body, the Legal, Financial and Administrative Services Agency. They refer in particular to Sections 15, 18 and 19 of the Act on Transparency of Party Financing, which provide for late submission fees and special fees. Decisions by the agency are subject to appeal before a general administrative court of law.
38. GRECO notes that the rules introduced in the new legislation (Sections 15-21 of the Act on Transparency of Party Financing) are accompanied by the following types of sanctions: for late submission of the revenue statements (10 000 SEK (approx. €1 100)), for omission of a revenue item or the understating of the value of such an item (up to 100 000 SEK (approx. €11 000)); and for not correctly stating the origin of a revenue item (20 000 SEK (approx. € 2 200)). GRECO accepts that these sanctions mirror very well the newly established rules and that they can be

² Kammarkollegiet is the oldest public authority in Sweden. It dates back to 1539 when the King Gustav Vasa established a "chamber" to deal with tax collection and the auditing of public accounts. Today the Agency is a modern organisation, led by a director general, which exercises various forms of public authority and other undertakings.

applied directly and at the discretion of the monitoring body in a flexible way. Although the sanctions do not appear to be particularly harsh as such, GRECO also recalls that these are complementary to a number of criminal sanctions available; for example, in relation to infringements of the Accounting Act as well as in the Criminal Code. GRECO welcomes the establishment of the new flexible sanctions. However, it would be too early to take a view on their effectiveness in practice as they have not yet been applied.

39. GRECO concludes that recommendation vii has been dealt with in a satisfactory manner.

III. CONCLUSIONS

40. **In view of the above, GRECO concludes that Sweden has now implemented satisfactorily or dealt with in a satisfactory manner in total six of the ten recommendations contained in the Third Round Evaluation Report.** Moreover, of the remaining recommendations all have been partly implemented.
41. With respect to Theme I – incriminations – it was already concluded in the Compliance Report that all three recommendations had been implemented satisfactorily or dealt with in a satisfactory manner. With respect to Theme II – Transparency of Party Funding – recommendations ii, iv and vii have been implemented satisfactorily or dealt with in a satisfactory manner and recommendations i, iii, v and vi have been partly implemented.
42. Legislative reforms relating to Theme II (Transparency of Party Funding) were initially not considered necessary by the authorities while stressing the longstanding tradition of self-regulation involving the major political parties in Sweden. However, this position changed when the Government in 2011 initiated a process with the purpose of enhancing the transparency of the political financing through legislation. A government Bill was published in January 2014 and new legislation within this area was adopted in March 2014 and entered into force on 1 April the same year. As a result, Sweden has now followed the large majority of GRECO members by establishing legislation in this area. It is also noteworthy that all recommendations have been thoroughly considered although not all concerns raised by GRECO have resulted in legislation. In summary, Sweden has established an obligatory reporting of the income of party and election candidates over a certain threshold value; a dedicated supervisory body has been mandated, vested with powers to impose appropriate sanctions. Public scrutiny, which is the cornerstone of the monitoring, has been made possible through a co-ordinated publication of revenue statements, including on-line access. The reception of anonymous donations has in practice been considerably limited by making the right to state funding subject to the non-existence of such donations. It is also noted that certain related issues are subject to further consideration by a committee of enquiry. That said, it is regrettable that the new legal framework aiming at political transparency is limited to the various forms of income. The new reporting requirements do not concern assets, liabilities and the expenditure of parties and election candidates and the election campaigns are not singled out from the reporting obligations relating to the annual revenue statements. Despite these shortcomings, Sweden should be commended for the new system in place, which represents a “paradigm shift” as compared to the previous situation.
43. Following the substantial progress made by the Swedish authorities in respect of enhancing the transparency of political funding, GRECO concludes that the current level of compliance with the recommendations is no longer “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure and decides not to continue applying rule 32 in respect of Sweden.

44. Pursuant to paragraph 8.2 of Rule 31 of the Rules of Procedure, GRECO requests the Head of the Swedish delegation to provide a report regarding the action taken to implement the pending recommendations i, iii, v and vi of Theme II – Transparency of Party Funding by 30 September 2015 at the latest.
45. GRECO invites the authorities of Sweden to translate the report into the national language and to make this translation public.

APPENDIX I

Swedish Code of Statutes

Swedish Code of Statutes 2014:105

Published on 18 March 2014

Act on transparency of party financing;

issued on 6 March 2014.

In accordance with a decision by the Riksdag (the Swedish Parliament)¹, the following is enacted.

Purpose of the Act

Section 1

The purpose of the Act is to ensure transparency to the public regarding how parties finance their political activities and how electoral candidates finance their personal election campaigns.

Threshold value

Section 2

In this Act, 'threshold value' means half the price base amount, as defined in Chapter 2, Sections 6 and 7 of the Social Insurance Code, that applies at the end of the financial year or calendar year referred to in Section 5.

Scope

Section 3

The Act applies to parties that:

1. take part in elections to the Riksdag or the European Parliament;
2. hold seats in the Riksdag or the European Parliament; or
3. otherwise receive support under the Act on State financial support to political parties (1972:625).

Statement of revenue

Section 4

A party shall report to Kammarkollegiet (the Legal Financial and Administrative Services Agency) on how it has financed its political activities. The report shall provide a clear account of the funds from which the activities have benefited and where these funds come from (revenue statement).

¹ Govt bill 2013/14:70, Committee Report 2013/14:KU35, Riksdag communication 2013/14:163.

The revenue statement shall cover the party's activities at central level. If anyone has been appointed a member or alternate member of the Riksdag or the European Parliament following personal preference voting, the party's revenue statement shall also cover the member's or alternate's personal election campaign.

Section 5

A revenue statement shall cover a financial year if the party is obliged to maintain accounts under the Accounting Act (1999:1078). Otherwise the statement is to cover a calendar year.

Section 6

A revenue statement shall contain information about the size of:

1. support under the Act on State financial support to political parties (1972:625);
2. support under the Act concerning support for the parliamentary work of members of the Riksdag and parliamentary party groups (1999:1209);
3. support to a women's organisation within the party under the Act on State financial support to parliamentary parties' women's organisations (2010:473);
4. membership fees;
5. revenue from sales, lotteries, collections and similar activities;
6. contributions from other parts of the party's organisation, including affiliated organisations;
7. contributions from private persons;
8. contributions from companies, organisations, associations and other societies, foundations and funds; and
9. anonymous contributions.

The first paragraph also applies to revenue of activities conducted in a company or in any other operational form, if the party has a controlling influence on the activities. The same applies to revenue of a foundation associated with the party.

Services rendered in the form of money, goods, services and other benefits received wholly or partly without services in return are accounted contributions under the first paragraph, points 6–9, except for customary voluntary work and customary free services. A contribution that has not been made in money is to be reported at its real value.

Section 7

For contributions from individual persons referred to in Section 6, first paragraph, points 7 and 8 that exceed the threshold value, the revenue statement shall include a special note of the donor's identity, the contribution made and the size of the contribution. The same applies if

the sum of several contributions from the same donor exceeds the threshold value during the period covered by the revenue statement.

For anonymous contributions, the revenue statement is to include a special note of the contribution made and the size of the contribution. In addition, the total number of such contributions shall be stated.

Section 8

With regard to personal election campaigns, a revenue statement shall contain information about the size of revenues referred to in Section 6, first paragraph, points 5–9. Section 7 also applies to contributions to a personal election campaign.

Section 9

A revenue statement shall be audited by the party's auditor if the party is obliged to appoint an auditor under its statutes or the Auditing Act (1999:1079).

The audit shall concern the question of whether the revenue statement has been drawn up in accordance with Sections 4–8. The audit must be as detailed and as extensive as required by generally accepted auditing standards.

The auditor is to submit a written report on the audit. The report is to be attached to the revenue statement.

Section 10

A revenue statement must be received by Kammarkollegiet no later than 1 July in the year following the financial year or calendar year covered by the statement.

However, no revenue statement needs to be submitted if the sum of the amounts to be reported under Sections 6 and 8 is below the threshold value, after deductions have been made for support referred to in Section 6, first paragraph, points 1–3. If this is the case, the party shall instead notify Kammarkollegiet to this effect.

Section 11

A revenue statement or a notification in accordance with Section 10, second paragraph, shall be signed by a person who is an authorised representative of the party at central level.

If a document referred to in the first paragraph is drawn up in electronic form, it must be signed using an advanced electronic signature in accordance with the Act on Qualified Electronic Signatures (2000:832).

Publication

Section 12

Kammarkollegiet is to make the revenue statements and notifications

under Section 10, second paragraph, available to the public on its website. Kammarkollegiet is also to publish on its website information showing which parties have not submitted a revenue statement or a notification.

However, the first paragraph does not apply to information on the identities of donors referred to in Section 7, first paragraph, if the donor is a natural person.

Supervision

Section 13

Kammarkollegiet exercises supervision of compliance with this Act and regulations issued in connection with this Act.

Section 14

Kammarkollegiet may decide on the orders that need to be issued for the purposes of supervision and for ensuring that the parties meet their obligations under this Act.

A decision to issue an order may be accompanied by a conditional financial penalty.

Late submission fees

Section 15

A party that is required by this Act to submit a revenue statement or a notification under Section 10, second paragraph, shall be charged a late submission fee of SEK 10 000 if the statement or notification has not been received by Kammarkollegiet within the prescribed time.

Kammarkollegiet may decide to reduce or refrain from charging a late submission fee if exceptional grounds exist for doing so.

Section 16

The late submission fee shall accrue to the State.

Section 17

Kammarkollegiet adjudicates the matter of late submission fees.

Special fees

Section 18

If notice received from any individual person or other circumstances give special reason to assume that a revenue statement is incorrect, Kammarkollegiet shall examine the contents of the revenue statement.

On the same conditions, Kammarkollegiet shall investigate whether a revenue statement should by rights have been submitted instead of a notification under Section 10, second paragraph.

Section 19

A special fee shall be charged to a party if an investigation under Section 18 shows that the party:

1. has omitted revenue items or understated the value of revenue items; or
2. has not fulfilled the obligation to provide information under Section 7 correctly.

A special fee shall be charged:

1. in cases referred to in the first paragraph, point 1, in an amount corresponding to the misreported revenues, but no more than SEK 100 000; and
2. in cases referred to in the first paragraph, point 2, in an amount of SEK 20 000.

Kammarkollegiet may decide to reduce or refrain from charging a special fee if exceptional grounds exist for doing so.

Section 20

The special fee shall accrue to the State.

Section 21

Kammarkollegiet adjudicates the matter of special fees.

Processing of personal data

Section 22

Kammarkollegiet may process personal data referred to in Section 13 of the Personal Data Act (1998:204), if the data are submitted in a revenue statement or otherwise are necessary to enable Kammarkollegiet to fulfil its obligations under this Act.

Appeals

Section 23

A decision to issue an order under Section 14, to charge a late submission fee under Section 15 or to charge a special fee under Section 19 may be appealed to a general administrative court. Other decisions pursuant to this Act are not subject to appeal.

Leave to appeal is required for an appeal to the administrative court of appeal.

1. This Act enters into force on 1 April 2014 and will first apply to revenue statements for the calendar year of 2014 or the next financial year beginning after 31 December 2013.

2. For a revenue statement referring to the calendar year of 2014 or the next financial year beginning after 31 December 2013, the reporting obligation under Sections 6–8 applies only with reference to revenue from which the political activities have benefited after the end of March 2014.

On behalf of the Government

JAN BJÖRKLUND

BEATRICE ASK
(Ministry of Justice)

APPENDIX II

Swedish Code of Statutes

Swedish Code of Statutes 2014:106

Published on 18 March 2014

Act amending the Act on State financial support to political parties (1972:625);

issued on 6 March 2014.

In accordance with a decision of the Riksdag¹, it is prescribed that Sections 1 and 14 of the Act on State financial support to political parties² shall read as follows.

Section 1

State financial support under this Act is paid to political parties that have taken part in elections to the Riksdag.

Annual support under this Act is also subject to the following conditions:

1. in the course of the financial year ending most recently before the application for support, the party must not have received any anonymous donation in the sense intended in Section 6, first paragraph, point 9 of the Act on transparency of party financing (2014:105); and
2. in the course of the financial year ending most recently before the application for support, no person who, following personal preference voting, has been appointed to represent the party as a member or alternate member of the Riksdag or the European Parliament may have received any such anonymous donation to their personal election campaign.

The forms of financial support are 'party support' and 'secretariat support'.

Section 14³

Applications for financial support under this Act are to be submitted each year in writing to the Commission on Financial Support to the Political Parties. Applications should be submitted before the end of October.

The party's annual report for the most recently completed financial year is to be included with the application. The accounts must have been audited by an authorised or approved public accountant. The audit must be as detailed and as extensive as required by generally accepted auditing standards. A statement from the party must also be attached to

¹ Committee Report 2013/14:KU35, Riksdag Communication 2013/14:163.

² Act reprinted as 1987:876.

³ Latest wording 2002:70.

the application, affirming that neither the party nor those who, following personal preference voting, have been appointed to represent the party as members or alternate members of the Riksdag or the European Parliament have received, in the course of the financial year ending most recently before the application for support, any anonymous donation in the sense intended in Section 6, first paragraph, point 9 of the Act on transparency of party financing (2014:105). Financial support may not be granted if the application contains deficiencies in the respects stated above.

As far as possible, party support and secretariat support are paid at the same time. The payments are made on a quarterly basis by the Riksdag Administration, with each payment consisting of one fourth of the total amount. The first payment is made within one month of the application being made. The payments are made to the party's national organisation. However, at the request of a party, secretariat support or a part of this support can be paid to the secretariat of the party group in the Riksdag.

This Act enters into force on 1 April 2014 and will first apply to applications to the Commission on Financial Support to the Political Parties that have reference to the year of support beginning 15 October 2015. Anonymous donations made before 1 April 2014 do not come under the new provisions.

On behalf of the Government
BEATRICE ASK

Katrin Hollunger Wågner
(Ministry of Justice)