

# The Elections Act (2005:837)

## PART I. GENERAL PROVISIONS

### Chapter 1. Introductory provisions

#### Section 1

This Act contains provisions on the implementation of elections to the Riksdag, regional and municipal assemblies and the European Parliament.

The Instrument of Government and the Local Government Act (2017:725) contain certain fundamental provisions on elections.

The content of this Act is divided as follows:

## PART I. GENERAL PROVISIONS

### Chapter 1 – Introductory provisions

### Chapter 2 – Parties and candidates

### Chapter 3 – Election authorities, etc.

### Chapter 4 – Constituencies and electoral districts, etc.

### Chapter 5 – Electoral rolls and voting cards

### Chapter 6 – Ballot papers and envelopes

## PART II. IMPLEMENTATION OF ELECTIONS

### Chapter 7 – General provisions on voting

### Chapter 8 – General provisions on vote reception

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## PART III. COUNTING OF VOTES

### Chapter 11 – Preliminary vote counting at polling stations

### Chapter 12 – The election committee's vote counting

### Chapter 13 – Final vote counting

## PART IV. DISTRIBUTION OF SEATS

### Chapter 14 – Distribution of seats

## PART V. CONCLUDING PROVISIONS

### Chapter 15 – Appeals

Act 2019:923.

#### *When elections shall be held*

##### **Section 2**

Elections shall always be held on a Sunday.

##### **Section 3**

Ordinary elections to the Riksdag and ordinary elections to regional and municipal assemblies shall be held on the same day. The election day shall be the second Sunday in September. Elections to the European Parliament shall be held in June every fifth year. If the Council of the European Union so determines in a special case, the election shall instead be held in April, May or July of the election year.

In the case of re-election to the Riksdag, the Government shall decide the date that will be the election day. In the case of re-election to a regional or municipal assembly, the central election authority shall decide, following consultation with the county administrative board, the date that will be the election day. A re-election shall be held as soon as possible, and no later than three months after the date of the decision to hold a re-election.

In the case of extraordinary elections pursuant to Chapter 3, Article 11 of the Instrument of Government, the Government shall decide the date that will be the election day.

In the case of extraordinary elections pursuant to Chapter 6, Article 5 of the Instrument of Government, the Speaker of the Riksdag shall decide, following consultation with the central election authority, the date that will be the election day.

In the case of extraordinary elections pursuant to Chapter 5, Section 10 of the Local Government Act (2017:725), the regional or municipal assembly shall decide, following consultation with the central election authority and the county administrative board, the date that will be the election day.

#### *Special provisions on elections to the European Parliament*

##### **Section 4**

Everybody who is entitled to vote in elections to the Riksdag is also entitled to vote in elections to the European Parliament.

Citizens of any of the Member States of the European Union (EU citizens) who are entitled to vote in elections to regional and municipal assemblies and who, in elections to the European Parliament, do not vote in any other Member State of the European Union are entitled to vote in such an election in Sweden.

##### **Section 5**

Every individual who is entitled to vote under Section 4 is eligible for election to the European

Parliament. However, EU citizens who are not Swedish citizens are only eligible for election subject to the further precondition that they have not become ineligible in their home state to be elected in elections to the European Parliament.

## **Section 6**

An assignment as a member of the European Parliament is not compatible with being:

1. a member of a national parliament;
2. a member of the government of a Member State;
3. a member of the European Commission;
4. a judge, Advocate General or Registrar of the Court of Justice of the European Union or the General Court;
5. a member of the European Central Bank Executive Board;
6. a member of the European Court of Auditors;
7. an Ombudsman of the European Union;
8. a member of the Economic and Social Committee of the European Union or the European Atomic Energy Community;
9. a member of committees and other bodies that have been appointed pursuant to the treaties establishing the European Community and the European Atomic Energy Community to manage the funds of the community or to perform a permanent and direct administrative function;
10. a member of the board, member of the executive board or employee of the European Investment Bank; or
11. an official or other employee on active service within the institutions of the European Union or bodies that are linked with them or the European Central Bank.

## Chapter 2. Parties and candidates

### *Registration of party denominations*

#### **Section 1**

A party that wishes to register its denomination shall give written notification of this to the central election authority.

If notification is made no later than by the last day of February in the year when ordinary elections to the Riksdag and to regional and municipal assemblies or elections to the European Parliament are to be held, the registration applies as of that election.

If relates to extraordinary elections, notification shall instead be made no later than one week after the decision on the election day having been announced for the registration to apply as of that election.

#### **Section 2**

A notification shall state the kind of election to which it relates. If it relates to elections to a regional or municipal assembly, it shall state the region or the municipality to which it relates.

Together with a notification, the party shall provide declarations in accordance with Section 4 or a certificate that such declarations have been produced to a notary public.

#### **Section 3**

A party denomination shall be registered if the following conditions are satisfied:

1. The party denomination shall consist of or contain words. It may contain a party symbol.

2. If a party is not already represented in the decision-making assembly to which the notification relates, notification shall have the documented support of:

- a) for elections to the Riksdag: at least 1 500 people who are entitled to vote in the whole of Sweden;
- b) for elections to a regional or municipal assembly: at least 100 and 50 people, respectively, who are entitled to vote in the region or municipality to which the notification relates;
- c) for an election to the European Parliament: at least 1 500 people who are entitled to vote in the whole of Sweden.

3. The party denomination must not be likely to be confused with a denomination that has already been:

- a) registered; or
- b) notified for registration, if the denominations would be registered for the same election.

4. The party denomination must not be likely to be confused with a denomination that previously applied for the same kind of election but that has been de-registered for at most five years owing to a change of name.

5. The party denomination must not be likely to be confused with a denomination for another party that has already notified its participation in an election, or shall be considered to have notified participation under Section 15, second or third paragraph, if the denominations would apply for the same election.

#### **Section 4**

Those who, in accordance with Section 3, point 2, support a notification for registration shall personally sign a declaration of support. The declaration shall state their names and personal identity numbers and also where they are registered as resident.

#### **Section 5**

If a party denomination is registered for elections to the Riksdag, the registration also applies for elections to regional and municipal assemblies in the whole of Sweden and for elections to the European Parliament. If the registration relates to elections to a regional assembly, it shall apply for elections in that region and elections to the municipal assemblies in the municipalities that lie within that region. In other cases, registration applies only for the election to which it relates.

#### **Section 6**

If a party that has registered a party denomination so consents, another party can have the same denomination registered:

1. for elections to the Riksdag, even if the denomination is already registered for elections to regional or municipal assemblies; or
2. for elections to a regional assembly, even if the party denomination is already registered for elections to a municipal assembly within the region.

This also applies if the first party's application has not yet resulted in registration when the second party submits its application.

#### **Section 7**

A registered party denomination shall be de-registered if the party:

1. so requests; or
2. has not notified candidates for two consecutive ordinary elections to the Riksdag, to regional or municipal assemblies or to the European Parliament.

## **Section 8**

When a party denomination has been registered or deregistered, the central election authority shall announce this by public notice in *Post- och Inrikes Tidningar* (the Official Swedish Gazette).

### *Notification of candidates for parties that have registered a party denomination*

## **Section 9**

A party that wishes to notify all of its candidates for a particular election shall give written notification to the central election authority or, to the extent that the Government determines, the county administrative board.

The party shall submit together with the notification a personally signed declaration from each candidate that they consent to the notification.

A notification of candidates for a particular election and a candidate's consent to such notification shall also apply to any re-election in that election. A party may nonetheless change a notification made under the first paragraph.

## **Section 10**

A notification of candidates shall relate to:

1. for elections to the Riksdag: a certain constituency;
2. for elections to a municipal or regional assembly: the municipality or the region; and
3. for elections to the European Parliament: the whole of Sweden.

## **Section 11**

EU citizens who are not Swedish citizens and who wish to stand for election to the European Parliament shall in a personally signed affirmation to the central election authority:

1. state their nationality and address in Sweden, their date and place of birth and their most recent address in their home state;
2. state the constituency or area in their home state where they were last listed in the electoral roll; and
3. declare that they are not a candidate in elections to the European Parliament in any other state and that they have not become ineligible to be elected in their home state through an administrative or judicial decision.

A declaration that an EU citizen wishes to stand for election in Sweden to the European Parliament and that they have not become ineligible to be elected in their home state shall be sent by the central election authority to the competent authority in the state where the person is a citizen.

## **Section 11a**

In cases referred to in Section 11, the central election authority shall request information from the competent authority in the home state of the EU citizen as to whether they have become ineligible to be elected in their home state.

If a competent authority in another Member State requests information from the central election authority as to whether a Swedish citizen who wishes to stand for election to the European Parliament in the other state has become ineligible to be elected in Sweden, the central election authority shall, as soon as possible and no later than five working days from the date the request was received, supply

information to the requesting authority regarding the candidate's eligibility in elections to the European Parliament in Sweden.

### **Section 12**

A notification of candidates shall not be considered if the party cannot show that it has received the candidates' consent to notify their names.

If an EU citizen who is not a Swedish citizen is notified as a candidate for elections to the European Parliament and the competent authority in the candidate's home state supplies information that they have become ineligible to be elected there, the notification shall not be considered.

### **Section 13**

Prior to each election, the central election authority shall:

1. decide the latest date on which the candidates shall be notified and announce this decision by public notice in the Official Swedish Gazette;
2. notify every party that has registered its party denomination of this date; and
3. determine the latest date on which affirmation under Section 11 shall be submitted.

### *Notifying participation in elections*

### **Section 14**

A party that wishes to participate in an election shall give written notification of this to the central election authority. The notification shall indicate which denomination the party will use for the elections (party denomination) and the kind of election to which the notification relates. If the notification relates to elections to a regional or municipal assembly, it shall state the region or the municipality to which it relates.

### **Section 15**

If a party notifies participation in elections to the Riksdag, the notification also applies to elections to regional and municipal assemblies in the whole of Sweden and for elections to the European Parliament. In other cases, the notification applies only for the election to which it relates.

A party that is represented in a decision-making assembly shall, at the next elections, be considered to have notified participation in elections to the extent that follows from the first paragraph.

A party that has notified candidates under Section 9 shall be considered to have notified participation in the election.

### **Section 16**

Notification to participate in elections also applies for any re-election in the election to which the notification applies.

A party that did not participate in an election cannot separately notify participation in any re-election in that election.

### **Section 17**

Notification to participate in elections shall be made no later than 30 days before the election day in

the election to which the notification relates. However, for extraordinary elections, late submission of notification shall be accepted, if submission is made within one week after the decision on the election day.

### **Section 18**

Notification to participate in an election shall be registered if the following conditions are satisfied:

1. Notification shall be submitted within the time period prescribed in Section 17.
2. The party denomination shall consist of or contain words. It may contain a party symbol.
3. The party denomination must not be likely to be confused with a denomination that has already been:
  - a) registered; or
  - b) notified for registration, if the denominations would apply for the same election.
4. The party denomination must not be likely to be confused with a denomination that previously applied for the same kind of election but that has been de-registered at most five years ago owing to a change of name.
5. The party denomination must not be likely to be confused with a denomination for another party that has already registered for an election, or shall be considered to have registered under Section 15, second or third paragraph, if the denominations would apply for the same election.

### **Section 19**

When a notification to participate in an election has been registered, the central election authority shall immediately announce this by public notice in the Swedish Official Gazette.

### *Consent to candidacy*

### **Section 20**

A person who stands for a party that has notified participation in an election shall have given written consent to the candidacy. Such consent shall be submitted to the central election authority or, to the extent determined by the Government, to the county administrative board no later than the Friday preceding the election day.

A declaration referred to in Section 9, second paragraph shall be considered consent to the candidacy under the first paragraph for the party to which the declaration relates.

Consent to candidacy for a party in an election also applies to any re-election in that election.

## **Chapter 3. Election authorities, etc.**

### *Election authorities*

### **Section 1**

There shall be a central election authority that has overall responsibility for matters concerning elections.

Ahead of each election, the central election authority shall produce training material concerning the election. This material shall be provided to the county administrative boards and election committees.

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## **Section 2**

The county administrative board is the regional election authority, with county-wide responsibility for matters concerning elections and for training of the election committees.

## **Section 3**

In every municipality there shall be an election committee, which is the local election authority with municipality-wide responsibility for matters concerning elections.

Chapter 4, Sections 20, 22 and 23 provide that the municipalities shall ensure that there are premises for vote reception.

### *Voting clerks*

## **Section 4**

At least four voting clerks shall be appointed for each electoral district, of which one shall be the chair and one a substitute for the chair.

## **Section 5**

Voting clerks shall be appointed by the election committee. However, voting clerks at a foreign mission shall be appointed by the head of the mission. If the election committee has decided that vote reception shall take place at a hospital, a correctional institution, a detention centre or similar establishment, the committee may allow the head of the establishment to appoint voting clerks there.

Only those who have received such training as is necessary for the assignment may be appointed as voting clerks. The training material provided by the central election authority shall be used for this training. However, the election committee may replace parts of the material or supplement it if this is necessary in view of local circumstances.

## **Section 6**

At each vote reception point there shall be as many voting clerks as are necessary to enable vote reception to be implemented.

At least three of the voting clerks shall be present when voting reception takes place at a polling station. One of these shall be the chair or a substitute for the chair.

At least two voting clerks shall be present when vote reception takes place at a voting place.

### *Rural postmen*

## **Section 7**

Postnord Group AB shall provide assistance in elections through the rural postmen employed by the company acting as messengers in accordance with the provisions in Chapter 7.

In elections that do not concern the whole of Sweden, the central election authority may limit Postnord Group AB's obligation under the first paragraph.



## Chapter 4. Constituencies and electoral districts, etc.

### *Constituencies*

#### **Section 1**

For elections to the Riksdag, regional assemblies and municipal assemblies, there shall be geographically defined areas for which members shall be elected for the decision-making assembly to which the election relates (constituencies). Sweden constitutes a single constituency for elections to the European Parliament.

Unless otherwise provided, when applying this chapter the number of persons entitled to vote in an election shall be estimated on the basis of the information contained in the population registration database under the Act on the Processing of Personal Data in the Swedish Tax Agency's Population Registration Activities (2001:182) on 1 March of the election year.

#### **Election to the Riksdag**

##### **Section 2**

For elections to the Riksdag, Sweden shall be divided into the following constituencies:

1. Stockholm municipality;
2. Stockholm county constituency (Stockholm county with the exception of Stockholm municipality);
3. Uppsala county;
4. Södermanland county;
5. Östergötland county;
6. Jönköping county;
7. Kronoberg county;
8. Kalmar county;
9. Gotland county;
10. Blekinge county;
11. Malmö municipality;
12. Skåne county western constituency (Bjuv, Eslöv, Helsingborg, Höganäs, Hörby, Höör, Landskrona and Svalöv municipalities);
13. Skåne county southern constituency (Burlöv, Kävlinge, Lomma, Lund, Sjöbo, Skurup, Staffanstorp, Svedala, Trelleborg, Vellinge and Ystad municipalities);
14. Skåne county northern and eastern constituency (Bromölla, Båstad, Hässleholm, Klippan, Kristianstad, Osby, Perstorp, Simrishamn, Tomelilla, Åstorp, Ängelholm, Örkelljunga and Östra Göinge municipalities);
15. Halland county;
16. Gothenburg municipality;
17. Västra Götaland county western constituency (Ale, Alingsås, Härryda, Kungälv, Lerum, Lilla Edet, Mölndal, Partille, Stenungsund, Tjörn and Öckerö municipalities);
18. Västra Götaland county northern constituency (Bengtstors, Dals-Ed, Färgelanda, Lysekil, Mellerud, Munkedal, Orust, Sotenäs, Strömstad, Tanum, Trollhättan, Uddevalla, Vänersborg and Åmål municipalities);
19. Västra Götaland county southern constituency (Bollebygd, Borås, Herrljunga, Mark, Svenljunga, Tranemo, Ulricehamn and Vårgårda municipalities);

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20. Västra Götaland county eastern constituency (Essunga, Falköping, Grästorp, Gullspång, Götene, Hjo, Karlsborg, Lidköping, Mariestad, Skara, Skövde, Tibro, Tidaholm, Töreboda and Vara municipalities);

21. Värmland county;

22. Örebro county;

23. Västmanland county;

24. Dalarna county;

25. Gävleborg county;

26. Västernorrland county;

27. Jämtland county;

28. Västerbotten county; and

29. Norrbotten county.

### **Section 3**

The central election authority shall decide, no later than 30 April in the year when ordinary elections are held, how many permanent constituency seats each constituency shall have. This shall be done in the following way.

Each constituency shall have a permanent constituency seat for each time that the number of persons who are entitled to vote in the constituency is evenly divisible by one 310th of the number of persons who are entitled to vote in the whole of Sweden.

Unless all permanent constituency seats can be distributed in this way, the constituencies will receive the remaining seats in order of the surpluses that arise when the calculation is made. If the surplus figure is the same in two or more constituencies, the constituency that receives the seat shall be determined by drawing lots.

### **Section 4**

Altered county boundaries or municipal boundaries shall be taken into account in connection with elections to the Riksdag as of the date on which the alteration is decided, if the decision will affect the number of permanent constituency seats and it enters into force on 1 January in the year after the year when ordinary elections to the Riksdag have been held.

### **Elections to regional assemblies**

#### **Section 5**

For elections to a regional assembly, the region shall constitute a single constituency unless the assembly decides to divide the region into two or more constituencies.

A constituency shall comprise one or more municipalities, unless otherwise provided by Section 6, second paragraph.

#### **Section 6**

A constituency should be formed so that it can be estimated to receive at least eight permanent constituency seats. It should have a continuous boundary line.

A part of a municipality may form a constituency together with another municipality, a part of another municipality or parts of other municipalities, if the constituency could not otherwise be estimated to receive at least eight permanent constituency seats. A municipality may also be divided into two or more constituencies, if a more appropriate division of constituencies can thereby be achieved.

#### **Section 7**

If a municipality is divided into two or more constituencies for elections to the regional assembly and if the municipality is divided into constituencies for elections to the municipal assembly, the boundaries of a constituency for elections to the regional assembly shall correspond to the boundaries of a constituency for elections to the municipal assembly.

#### **Section 8**

The division into constituencies shall, after the municipalities within the region have been given an opportunity to express their views, be decided by the regional assembly no later than 31 October in the year preceding the election year when the new division shall apply for the first time. To enter into force, the decision must be approved by the county administrative board.

The Government or the authority that decides on alterations to the division of Sweden into regions or municipalities may, if necessary, determine that a decision on the division into constituencies may be made later than the date referred to in the first paragraph.

#### **Section 9**

The seats in a regional assembly in a region that is divided into constituencies comprise permanent constituency seats and adjustment seats.

Nine tenths of the seats are permanent constituency seats. If this number is not a whole number when the number of permanent constituency seats is calculated, it shall be rounded down to the nearest whole number. The remaining seats are adjustment seats.

#### **Section 10**

If a region is divided into constituencies, the county administrative board shall decide no later than 30 April in the year when ordinary elections are held how many permanent constituency seats each constituency shall have. This shall be done in the following way.

The number of persons who are entitled to vote in the region is divided by the number of permanent constituency seats, and then the number of persons who are entitled to vote in each constituency is divided by the figure resulting from this calculation. The constituency shall receive one seat for each time that the number of persons who are entitled to vote in a constituency is evenly divisible by this figure.

If all permanent constituency seats cannot be distributed in this way, the constituencies receive the remaining seats in order of the surpluses resulting from the calculation. If the surplus figure is the same in two or more constituencies, the constituency that receives the seat shall be determined by drawing lots.

The Government or the authority that decides on alterations to the division of Sweden into regions or municipalities may, if necessary, determine that a decision on the distribution of seats may be made later than the date referred to in the first paragraph.

## **Elections to municipal assemblies**

### **Section 11**

For elections to a municipal assembly, the municipality shall constitute a single constituency, unless otherwise provided by Section 12.

### **Section 12**

If a municipality has 36 000 or more persons who are entitled to vote, the municipality may be divided into two or more constituencies. A municipality that has less than 36 000 persons who are entitled to vote may only be divided into two or more constituencies if there are special grounds to do so.

The number of persons entitled to vote shall be estimated on the basis of the information contained in the population registration database under the Act on the Processing of Personal Data in the Swedish Tax Agency's Population Registration Activities (2001:182) on 1 March in the year when the decision on division of constituencies is made.

A constituency should be formed so that it is expected to have at least 13 permanent constituency seats. It shall have a continuous boundary line, unless there are special grounds for doing otherwise.

### **Section 13**

The division into constituencies shall be decided by the municipal assembly no later than 31 October in the year preceding the election year when the new division shall apply for the first time. To enter into force, the decision must be approved by the county administrative board.

The Government or the authority that decides on alterations to the division of Sweden into regions or municipalities may, if necessary, determine that a decision on the division into constituencies may be made later than on the date referred to in the first paragraph.

### **Section 14**

The seats in a municipal council assembly in a municipality that is divided into constituencies comprise permanent constituency seats and adjustment seats.

Nine tenths of the seats are permanent constituency seats. If this number is not a whole number when the number of permanent constituency seats is calculated, it shall be rounded down to the nearest whole number. The remaining seats are adjustment seats.

### **Section 15**

If a municipality is divided into constituencies, the county administrative board shall decide no later than 30 April in the year when a general election is to be held how many permanent constituency seats each constituency shall have. This shall be done in the following way.

The number of persons who are entitled to vote in the municipality is divided by the number of permanent constituency seats and thereafter the number of persons who are entitled to vote in each

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constituency is divided by the figure that is the result of this calculation. The constituency shall receive one seat for each time that the number of persons who are entitled to vote in a constituency is evenly divisible by this figure.

If all permanent constituency seats cannot be distributed in this way, the constituencies will receive the remaining seats in order according to the surpluses that are the result of the calculation. When the surplus figures are the same in two or more constituencies, the constituency that will receive the seat shall be determined by drawing lots.

The Government or the authority that decides on alterations to the division of Sweden into regions or municipalities may, if necessary, determine that a decision on the distribution of seats may be made later than on the date referred to in the first paragraph.

### *Electoral districts*

#### **Division**

##### **Section 16**

Each municipality shall be divided into geographical voting areas (electoral districts).

Unless there are special grounds to do otherwise, all persons entitled to vote for each land unit shall be referred to the same electoral district.

If the municipality has more than one constituency for elections to the municipal assembly, each such constituency shall comprise one or more electoral districts.

##### **Section 17**

An electoral district shall comprise between 1 000 and 2 000 people entitled to vote. If there are special grounds, an electoral district may comprise less than 1 000 or more than 2 000 people entitled to vote. An electoral district may only comprise less than 300 people entitled to vote if there are extraordinary grounds.

At the proposal of a municipal assembly, the county administrative board shall decide on the municipality's division into electoral districts. The municipality shall view the division in the year immediately preceding the year when the general election to the Riksdag will be held.

If necessary, the county administrative board shall of its own volition decide on the division into electoral districts. Before the county administrative board makes such a decision, the municipal assembly shall be given an opportunity to express its views.

##### **Section 18**

A county administrative board decision on the division into electoral districts shall be made no later than 1 December in the year preceding the year when the decision shall apply for the first time. If necessary in view of alterations to the division into land units, a decision on minor alterations to the division into electoral districts may also be made after this date.

##### **Section 19**

The Government or the authority that decides on alterations to the division of Sweden into regions or

municipalities may, if necessary, determine that a decision on the division into electoral districts may be made later than on the date referred to in the first paragraph.

### *Polling stations*

#### **Section 20**

Every municipality shall ensure that there are appropriate premises that can be used as polling stations and that, as regards location, accessibility and opening hours, they provide voters with good opportunities to vote.

There shall be one polling station for each electoral district.

A polling station shall be clearly delimited and also suitable in other respects so that voters are not prevented from voting or disturbed during voting. It shall not have ties to a particular political group and should not have ties to a particular religious group or to a particular company that may influence the voter in connection with voting.

#### **Section 21**

A polling station shall be open for voting:

1. for elections to the European Parliament: between 8.00 and 21.00;
2. for other elections: between 8.00 and 20.00.

If the voters in an electoral district nevertheless have sufficiently good opportunities to vote, the municipality may determine that the opening hours referred to in the first paragraph shall be limited for a particular polling station. However, a polling station must always be open:

1. for election to the European Parliament: at least between 9.00 and 13.00 and between 17.00 and 21.00;
2. for other elections: at least between 9.00 and 13.00 and between 17.00 and 20.00.

If the municipality intends to limit the opening hours of a polling station, the municipality shall consult with the county administrative board before it decides on the matter. The municipality shall state why it has made the assessment that voters will have sufficiently good opportunities to vote notwithstanding the limitation.

### *Voting places*

#### **Section 22**

In elections relating to the whole of Sweden, each municipality shall ensure that there are appropriate premises that can be used as voting places and that, as regards location, accessibility and opening hours, they provide voters with good opportunities to vote.

A voting place shall be clearly delimited and also suitable in other respects so that voters are not prevented from voting or disturbed during voting. It shall not have ties to a particular political group and should not have ties to a particular religious group or to a particular company that may influence the voter in connection with voting.

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### **Section 23**

In re-elections, there shall be voting places in the municipalities that the election applies to, in accordance with Section 22.

In other municipalities, there shall be at least one voting place that provides voters with good opportunities to vote, in accordance with Section 22.

Every municipality shall inform the central election authority no later than 32 days before the election day where and when voting can take place in the municipality.

### **Section 24**

The municipality decides the days and times when a voting place shall be open for voting. However, in every municipality that the election applies to, at least one voting place shall be open every day during the period when vote reception may take place at voting places arranged by the municipality.

On the election day, at least one voting place in every municipality shall be open for vote reception during the time that applies pursuant to Section 21, first paragraph, for voting at a polling station.

### **Section 25**

The central election authority shall decide the Swedish foreign missions at which there shall be voting places following consultation with the Government Offices (Ministry for Foreign Affairs).

#### *Public notice of decisions*

### **Section 26**

The central election authority's decision under Section 3 shall immediately be announced by public notice in the Official Swedish Gazette.

County administrative board decisions under Sections 8, 10, 13, 14 and 17 shall be immediately announced by public notice in a local newspaper and in the Official Swedish Gazette.

## **Chapter 5. Electoral rolls and voting cards**

### *Electoral rolls*

#### **Section 1**

In connection with elections the central election authority shall for each electoral district prepare a list of those who are entitled to vote in the election (electoral roll).

The electoral rolls shall be based on the information that, 30 days prior to the election day, is contained in the population registration database in accordance with the Act on the Processing of Personal Data in the Swedish Tax Agency's Population Registration Activities (2001:182) and in the land register in accordance with the Land Registration Act (2000:224).

#### **Section 2**

Swedish citizens who are no longer registered as resident in Sweden shall be included in the electoral

roll for ten years from the date when their population registration ceased. Thereafter they shall, for ten years at a time, only be included in the electoral roll if they give written notice of their address to the Swedish Tax Agency.

If the central election authority for elections to the Riksdag or the European Parliament, no later than on the day prior to the election day, receives a vote from a Swedish citizen who is no longer registered as resident in Sweden and who is not included in the electoral roll, the authority shall add the voter to the electoral roll. The vote shall always be regarded as a notification under the first paragraph, even if it has been received later than on the day prior to the election day.

### **Section 2a**

In connection with elections to municipal and regional assemblies, EU citizens who are entitled to vote under Chapter 1, Section 7, second paragraph of the Local Government Act (2017:725) shall be included in the electoral roll if, no later than 30 days prior to the election day, they have, in writing to the central election authority:

1. notified their wish to be included in the electoral roll; and
2. stated their nationality, their address in Sweden and their date of birth or, where appropriate, their personal identity number.

Voters who have been included in an electoral roll pursuant to this section will remain there until they are deleted from it at their own request or the conditions for entitlement to vote are no longer satisfied.

### **Section 3**

In connection with elections to the European Parliament, EU citizens who are not Swedish citizens shall only be included in the electoral roll if they will attain the age of 18 no later than on the election day, are registered as resident in Sweden or are residing here but are not to be registered as resident here pursuant to Section 5, second paragraph of the Swedish Population Registration Act (1991:481), and have, no later than 30 days prior to the election day, in writing to the county administrative board:

1. notified that they wish to be included in the electoral roll;
2. stated their nationality and address in Sweden and, with regard to persons who are not registered as resident, their date of birth or, where appropriate, their personal identity number;
3. stated the constituency or the area in their home state where they were last listed in the electoral roll; and
4. affirmed that they will not vote in another Member State.

Notification that someone has been included in an electoral roll pursuant to this section shall be sent to the competent authority in the state where the voter is a citizen.

Voters who have been included in an electoral roll pursuant to this section will remain there until they are deleted from it by personal request or the conditions for entitlement to vote are no longer satisfied.

### **Section 4**

Voters shall be included in the electoral roll for the electoral district within which they are registered as resident according to the provisions of Section 1, second paragraph.

Those who are not registered as resident at any land unit or not registered as resident in Sweden shall be included in the electoral roll for the electoral district within which they were last registered as



resident. If no information is available about population registration enabling them to be referred to a particular electoral district but there is information about the municipality in which they were last registered as resident, the county administrative board shall decide which electoral roll they shall be included in.

### **Section 5**

If the central election authority is notified by an authority in another Member State that a person who, for elections to the European Parliament, is included in the electoral roll in Sweden is also included in the electoral roll in another country or has already voted in the election, the central election authority shall immediately remove the person from the electoral roll.

### **Section 6**

Those who consider that the electoral roll contains incorrect information concerning them shall, no later than twelve days prior to the election day, request in writing that the information is rectified. This also applies to those who consider that they have been improperly excluded from the electoral roll. Events occurring later than 30 days prior to the election day may not form the basis of a rectification under this section.

Matters concerning rectification shall be considered by the county administrative board, either upon request under the first paragraph or at its own initiative.

### **Section 7**

When all rectifications and alterations have been entered in an electoral roll, it shall be sent as soon as possible to the election committee in the municipality where the electoral district is located.

If it has not been possible for a rectification or alteration to be entered in the electoral roll in time before it has been sent to the election committee, the central election authority or the county administrative board may direct the committee to ensure that this is done.

### *Voting cards*

### **Section 8**

The central election authority shall issue a voting card for every voter. For voters who do not have a known address or who are not registered as resident in Sweden, a voting card shall only be issued if they request one.

Voting cards referred to in the first paragraph shall be sent out in sufficiently good time that they may be expected to be received by voters no later than 18 days prior to the election day. For extraordinary elections and re-elections, voting cards shall instead be sent out in sufficiently good time that they may be expected to be received by voters no later than 10 days prior to the election day.

For every voter who is not registered as resident in Sweden, the central election authority shall issue an expatriate voting card. These cards shall be sent to voters no later than 50 days prior to the election day. For extraordinary elections and re-elections, the voting cards shall instead be sent out as soon as possible once the date on which the election will be held is decided.

### **Section 9**

A voting card shall contain the following information:

Non-official translation from Swedish into English of Vallag (SFS 2005:837, including amendments SFS 2008:1276, SFS 2010:1327, SFS 2010:1416, SFS 2010:1434, SFS 2013:1159, SFS 2014:301, SFS 2014:1384, SFS 2017:748, SFS 2018:28, SFS 2018:823, SFS 2018:1969, SFS 2019:923, SFS 2021:1328)

1. the voter's name and number in the electoral roll;
2. which elections the voter may participate in; and
3. the voter's polling station and its opening hours.

An expatriate voting card shall contain the following information:

1. the voter's name; and
2. which elections the voter may participate in.

### **Section 10**

Voters can obtain duplicate voting cards if they need them.

Duplicate voting cards shall be provided by the central election authority, the county administrative board, a foreign mission or the municipality. Anybody wishing to have a duplicate voting card shall provide details of their name and personal identity number.

## Chapter 6. Ballot papers and envelopes

### *Ballot papers*

#### **Section 1**

The following kinds of ballot papers shall be used for elections:

1. ballot papers bearing party and election denominations,
2. ballot papers bearing party and election denominations together with details of candidates,
3. ballot papers bearing only election denomination.

#### **Section 2**

Ballot papers as referred to in Section 1, points 1 and 2 may, besides the information referred to there, contain:

1. details of which constituency the ballot paper is intended for; and
2. details of whether the party that the ballot paper applies to has registered its party denomination and notified candidates.

Ballot papers may also contain information necessary for election administration purposes.

#### **Section 3**

Candidate names shall be included in numerical order. Each candidate shall be identified so that it is clear who is referred to. The ballot papers shall also be formulated so that the voters can cast a vote for a specific person and shall contain information concerning the implications of voting for individual candidates.

#### **Section 4**

Ballot papers shall be of A6 size (105 x 148 millimetres). They shall be made of paper of the same quality for all ballot papers. All ballot papers that refer to a particular election shall have the same colour.

### *Envelopes*

## **Section 5**

The following kinds of envelopes shall be used for elections:

1. vote envelopes,
2. outer envelopes for votes by messenger,
3. outer envelopes for postal votes,
4. cover envelopes for postal votes,
5. window envelopes.

### *Provision of ballot papers and envelopes*

## **Section 6**

All ballot papers and envelopes that are used for elections shall be provided by the central election authority.

## **Section 7**

Ballot papers that are intended to be laid out at vote reception points under Chapter 8, Section 2, first paragraph, points 2 and 3 shall only be provided for the parties that so request. The request shall be made no later than on the date determined by the central election authority, to the county administrative board as regards a party referred to in Chapter 8, Section 2, first paragraph, point 2b, or otherwise to the central election authority.

## **Section 8**

The following parties that run in an election are entitled to ballot papers at central government expense:

1. for elections to the Riksdag: any party that in the election receives, or in either of the last two elections to the Riksdag has received, more than 1 per cent of the votes in the whole of Sweden or that nevertheless is, or through the election becomes, represented in the Riksdag;
2. for elections to regional or municipal assemblies: any party that is, or through the election becomes, represented in the assembly; and
3. for elections to the European Parliament: any party that in the election receives, or in either of the last two elections to the European Parliament has received, more than 1 per cent of the votes in the whole of Sweden.

In all cases, the right to free ballot papers refers to a number corresponding to at most three times the number of persons entitled to vote:

1. for elections to the Riksdag: in the constituency; or
2. for other elections: in the election.

When applying the second paragraph, the number of persons entitled to vote shall be estimated on the basis of the information contained in the population registration database under the Act on the Processing of Personal Data in the Swedish Tax Agency's Population Registration Activities (2001:182) on 1 March of the election year.

## **Section 9**

Ballot papers are only delivered if they are paid for in advance. However, for a party that prior to the election is already entitled to ballot papers at central government expense, advance payment is only required to the extent that the order relates to more ballot papers than is specified in Section 8, second paragraph.

Non-official translation from Swedish into English of Vallag (SFS 2005:837, including amendments SFS 2008:1276, SFS 2010:1327, SFS 2010:1416, SFS 2010:1434, SFS 2013:1159, SFS 2014:301, SFS 2014:1384, SFS 2017:748, SFS 2018:28, SFS 2018:823, SFS 2018:1969, SFS 2019:923, SFS 2021:1328)

A party that only becomes entitled to free ballot papers after the election shall have the advance payment for such ballot papers repaid. This applies regardless of who paid the amount.

#### **Section 10**

Parties that are entitled to free ballot papers under Section 8 are also entitled to receive, to a reasonable extent, vote envelopes, outer envelopes for votes by messenger and also outer envelopes and cover envelopes for postal votes at central government expense.

## PART II. IMPLEMENTATION OF ELECTIONS

### Chapter 7. General provisions on voting

#### *The different ways of voting*

##### **Section 1**

Voting takes place at vote reception points. Voters shall in the first instance vote at their polling stations on the election day. They can also vote prior to or during the election day at voting places set up by the municipalities or foreign missions. Voters may also in certain cases give their votes to specially appointed voting clerks (mobile voting clerks) or vote by messenger or letter.

#### *How to prepare a vote*

##### **Section 2**

To prepare a vote, for each kind of election they wish to participate in voters shall:

1. take one ballot paper;
2. insert the ballot paper into a vote envelope without folding it; and
3. seal the vote envelope.

Voters who wish to cast a vote for a specific person shall mark this on the ballot paper in the specific space for a personal vote shown beside the candidate that they would prefer to see elected.

If a voter adds a candidate on a ballot paper for a party that has not registered its party denomination or notified candidates in accordance with Chapter 2, the voter shall be deemed to have cast a personal vote for that candidate. If the voter adds several candidates on such a ballot paper, the voter shall be deemed to have cast a personal vote for the first candidate.

If a voter adds a candidate on a ballot paper referred to in Chapter 6, Section 1, point 1 or 3 for a party that has registered its party denomination and notified candidates under Chapter 2, the voter shall be deemed to have cast a personal vote for that candidate, provided that the candidate was notified by the party. If the voter adds several candidates on such a ballot paper, the voter shall be deemed to have cast a personal vote for the first of the candidates notified by the party.

Ballot papers and vote envelopes may not be furnished with unauthorised marks.

#### *How to vote at a vote reception point*

##### **Section 3**

Each voter shall prepare their votes alone behind a voting screen. The voter then gives the vote envelopes to the voting clerks.

Voters who cannot personally prepare their votes owing to an impairment or similar shall, however, upon request, be given assistance in this by the voting clerks to the extent necessary. Such a voter may also engage another person to help them to vote.

#### *Voting via a mobile voting clerk*

### **Section 3a**

Voters who, owing to illness, impairment or old age, cannot personally make their way to a vote reception point may, upon request, give their ballot papers to a mobile voting clerk.

The applicable parts of the provisions on voting and vote reception in this Chapter and Chapter 8 and the provisions concerning vote reception at voting places in Chapter 10 apply to vote reception under the first paragraph.

#### *Voting by messenger*

### **Who may vote by messenger?**

#### **Section 4**

Voters who, owing to illness, impairment or old age, cannot personally make their way to a vote reception point may deliver their ballot papers there by messenger.

Furthermore, the following voters may vote by messenger:

1. voters who are served by Postnord Group AB's rural postmen, to the extent provided by Chapter 3, Section 7;
2. voters who are inmates of a detention centre; and
3. voters who are inmates of a correctional institution and, for security reasons, cannot vote at the same voting place as the other inmates of the institution.

Votes by messenger shall be delivered in outer envelopes for votes by messenger.

### **Who may be a messenger?**

#### **Section 5**

The following persons may be a messenger:

1. the voter's spouse or cohabitee or the voter's, spouse's or cohabitee's children, grandchildren, parents or siblings;
2. those who provide the voter with care in a professional or similar capacity, or who otherwise normally help the voter in their personal affairs;
3. rural postmen employed by Postnord Group AB; and
4. employees at a detention centre or correctional institution.

A messenger must have attained the age of 18.

### **When votes by messenger may be prepared**

#### **Section 6**

For ordinary elections to the Riksdag and regional and municipal assemblies and elections to the European Parliament, a vote by messenger may be prepared no earlier than 24 days prior to the election day.

For other elections, a vote by messenger may be prepared no earlier than 10 days prior to the election day. However, a vote by messenger that is delivered at a foreign mission may in these cases be prepared no earlier than 20 days prior to the election day.

### **How votes by messenger are prepared**

#### **Section 7**

Voters who wish to vote by messenger shall:

1. for each election, personally insert one ballot paper into a vote envelope;
2. in the presence of the messenger and a witness, insert the vote envelopes that have been prepared in an outer envelope for votes by messenger;
3. stick the outer envelope down;
4. on the envelope:
  - a. state their name and their personal identity number; and
  - b. certify that they have prepared vote envelopes and the outer envelope in this way and that vote envelopes have not been prepared earlier than allowed; voters referred to in Section 4, first paragraph, shall also certify on the outer envelope that they satisfy the requirements to vote by messenger.

On the outer envelope, the witness and messenger shall state their names and personal identity numbers and certify that the voter has personally done what is prescribed by the first paragraph, points 2–4, and that they are not aware of anything that indicates that the information provided by the voter is not correct. Furthermore, it shall be stated which of the categories referred to in Section 5, first paragraph applies to the messenger.

A witness must have attained the age of 18.

#### **Section 8**

Notwithstanding what is provided in Section 7, first and second paragraphs, a messenger who is a rural postman need not be present when the voter prepares an outer envelope for votes by messenger. Instead of their personal identity number, such a messenger may, on the outer envelope, state their service number. The messenger shall certify that the envelope was received from the voter personally.

Notwithstanding what is provided in Section 7, second paragraph, instead of their personal identity number, a messenger who is employed at a detention centre or correctional institution may state their service number.

A person who does not have a personal identity number or service number shall instead state some corresponding identifying information.

#### **Section 9**

Voters who are not known to the messenger shall produce an identity document or in some other way verify their identity. If they do not do so, the messenger may not receive the messenger vote.

#### **Section 10**

Voters shall give their voting cards to the messenger together with the outer envelope. However, this is not needed if the envelope is to be delivered at a polling station.

## *Postal voting*

### **Who may vote by post**

#### **Section 11**

Voters who are staying abroad or onboard a vessel in foreign traffic may vote by post.

### **When may postal votes be prepared?**

#### **Section 12**

Postal votes may be prepared no earlier than 45 days prior to the election day.

However, for elections other than general elections to the Riksdag and to regional and municipal assemblies and elections to the European Parliament, postal votes may only be prepared after the date on which the election will be held has been decided.

### **How postal votes are prepared**

#### **Section 13**

Voters who wish to vote by post shall:

1. in the presence of two witnesses, insert the vote envelopes that have been prepared into an outer envelope for postal votes;
2. stick the outer envelope down; and
3. on the envelope:
  - a) certify that they have prepared vote envelopes and the outer envelope in this way and that vote envelopes have not been prepared earlier than allowed, and that this was done abroad or onboard a ship in foreign traffic; and
  - b) state their name and their personal identity number.

On the outer envelope, the witnesses shall state their:

1. names,
2. personal identity numbers or the corresponding identifying information and
3. addresses,

and certify that the voter has personally done what is prescribed in the first paragraph and that they are not aware of anything that indicates that the information provided by the voter is not correct.

A witness shall have attained the age of 18.

### **How postal votes are sent**

#### **Section 14**

When the outer envelope has been prepared, the voters shall:

1. insert the envelope into a cover envelope for postal votes;
2. insert either a voting card or an expatriate voting card, or if the voter does not have access to either, an address card on which the voter has personally written their personal identity number and name;
3. stick this envelope down; and
4. from abroad or a vessel in foreign traffic, send the envelope to an election authority.

### **Further processing of postal votes**



## **Section 15**

When the central election authority has received cover envelopes for postal votes, these shall be delivered to the election committee in the municipalities where the voters are included in the electoral roll.

If a voter is not, and should not be, included in the electoral roll or if it is not possible to find out which electoral roll a voter is included in because their personal identity number is missing or is incomplete, the central election authority shall retain the cover envelope. The envelopes that are retained by the authority shall be stored in a secure way until the election has entered into final force. The envelopes including their content shall thereafter be destroyed without voting secrecy being jeopardised.

The central election authority shall keep notes of anything that is implemented pursuant to this section.

## **Chapter 8. General provisions on vote reception**

### *Vote reception at vote reception points*

#### **Equipment etc.**

##### **Section 1**

There shall be a suitable number of screened-off areas (voting booths) at a vote reception point where the voters can vote without being observed.

##### **Section 2**

An appropriate screened-off area shall be arranged adjacent to each vote reception point where ballot papers can be put out and voters can each take their ballot papers without being observed.

If this is not possible, such an area may instead be arranged inside the premises. In this area, voters shall have access to:

1. ballot papers bearing only election denominations;
2. ballot papers bearing party and election denominations:
  - a) for elections to the Riksdag and to regional and municipal assemblies, for every party that at either of the last two elections to the Riksdag received more than 1 per cent of the votes in the whole of Sweden; and
  - b) for elections to regional and municipal assemblies, for every party that is already represented there and that does not satisfy the requirements contained in point a above, as regards vote reception points within the region or municipality where the party is represented;
3. ballot papers bearing party and election denominations for elections to the European Parliament for every party that at either of the two last elections to the European Parliament received more than 1 per cent of the votes in the whole of Sweden, or ballot papers bearing party and election denominations together with details of candidates if such a party is only participating with a single ballot paper.

The parties participating in the election shall also be able to make their ballot papers available to voters. However, it is the election committee or foreign mission that puts the ballot papers out in the screened-off area.

The ballot papers shall be presented in a uniform manner.

The provisions contained in the first paragraph, points 2 and 3 only apply provided that the party has made a request under Chapter 6, Section 7.

### **Section 2a**

Voters who, owing to an impairment or similar, cannot personally take their ballot papers in the screened-off area where the ballot papers are laid out shall, upon request, be given assistance in this by the voting clerks, to the extent that is necessary. Such a voter may also engage another person to help them with this.

### **Order, etc.**

### **Section 3**

Propaganda or other activities aimed at influencing or impeding voters in making their choice may not occur at a vote reception point or in any space adjacent to it.

### **Section 4**

The voting clerks are responsible for keeping order at vote reception points. Anyone who is on the premises or in any space adjacent to them shall comply with the instructions given by the voting clerks to enable vote reception to be implemented. Anyone who does not follow the voting clerks' instructions may be asked to temporarily leave the premises or space, if this is of substantial significance for the implementation of vote reception. If vote reception cannot be implemented due to disorder, it may be temporarily discontinued.

### **Section 5**

Voters who are at a vote reception point or in a place to which they have been directed adjacent to it when the time for vote reception expires, shall be given an opportunity to vote before vote reception is concluded.

### **Reception of votes submitted by voters**

### **Section 6**

A voter who is not known to the voting clerks shall produce an identity document or in some other way verify their identity.

### **Section 7**

The voting clerks may not receive vote envelopes that do not satisfy the requirements on how such envelopes are to be prepared, or if the voter cannot verify their identity.

If a voter wishes to submit more than one vote envelope for one and the same election, only one of these may be received.

### **Section 7a**

If a vote reception point is not accessible for voters with impairments at any time during vote reception, the voting clerks may receive these voters' vote envelopes outside the vote reception point, provided this can be effected in a secure way.

### **Reception of votes that are delivered by messenger**

Non-official translation from Swedish into English of Vallag (SFS 2005:837, including amendments SFS 2008:1276, SFS 2010:1327, SFS 2010:1416, SFS 2010:1434, SFS 2013:1159, SFS 2014:301, SFS 2014:1384, SFS 2017:748, SFS 2018:28, SFS 2018:823, SFS 2018:1969, SFS 2019:923, SFS 2021:1328)

### **Section 8**

A messenger who is not known to the voting clerks shall produce an identity document or in some other way verify their identity.

### **Section 9**

The voting clerks may not receive outer envelopes from a messenger if the envelope does not satisfy the requirements on how such envelopes are to be prepared, or if the messenger cannot verify their identity.

### **Section 10**

Outer envelopes referred to in Section 9 shall be taken care of by the voting clerks and handed over to the election committee. The committee shall store the envelopes during the period of the election.

## **Reception of votes that have been sent in window envelopes and of postal votes**

### **Section 11**

When the election committee receives window envelopes and cover envelopes for postal votes, the envelopes shall be sorted according to electoral district. The envelopes shall then be inserted into special covers that are sealed. The covers shall be delivered to the polling station in the respective electoral district, provided it may be assumed that the envelopes will get there before the time for vote reception has expired.

### **Section 12**

The election committee shall retain the window envelopes and cover envelopes for postal votes that have not been delivered to the electoral districts according to Section 11. These envelopes shall be examined by the election committee at its meeting for preliminary vote counting in accordance with Chapter 12.

### **Section 13**

The election committee shall keep notes of everything done pursuant to Sections 11 and 12.

## **Chapter 9. Vote reception at polling stations**

### **Section 1**

In addition to the general provisions on voting and reception of votes in Chapters 7 and 8, the provisions of this Chapter apply to vote reception at polling stations. If provisions in this Chapter deviate from those in Chapters 7 and 8, the provisions of this Chapter shall apply instead.

### *Equipment at polling stations*

### **Section 2**

Each polling station shall have:

1. a ballot box for each election,
2. the electoral roll for the electoral district.

### *How vote reception is arranged*

### **Section 3**

When the polling station has opened, the voting clerk who is the chair shall show those attending that each ballot box is empty. Vote reception may commence following this.

### **Section 4**

Repealed by SFS 2014:301

### **Section 5**

If the requirements for how an outer envelope for votes by messenger are to be prepared are satisfied, the voting clerks shall, after the identity of the messenger has been checked, open the outer envelope and check that it contains vote envelopes.

### **Section 6**

Before the vote envelopes are received, the voting clerks shall check that:

1. the requirements for how such envelopes are to be prepared are satisfied; and
2. according to the electoral roll, the voters:
  - a) are entitled to vote in the elections to which the ballot papers relate, and
  - b) have not already voted.

### **Section 7**

If there are no impediments to receiving vote envelopes, the voting clerks shall, in the presence of the voter or messenger, place the envelopes in the ballot box for the elections to which the ballot papers relate and mark this in the electoral roll. Vote envelopes that have been received in accordance with Chapter 8, Section 7a shall be placed in the ballot box without the voter being in attendance.

It shall be stated in the electoral roll how the identity of the voter or messenger has been checked.

### **Section 8**

Vote envelopes that are delivered in an outer envelope for votes by messenger but which are not accepted shall be re-inserted into their outer envelope. Thereafter, the steps referred to in Chapter 8, Section 10 shall be taken.

## **Dealing with window envelopes and cover envelopes for postal votes**

### **Section 9**

When the voting clerks have received covers with window envelopes and cover envelopes for postal votes, they shall examine the covers and the envelopes to the extent that the vote reception in progress allows. In this examination, the voting clerks shall:

1. open the covers and count the envelopes;
2. check that the envelopes have not been opened since they were stuck down;
3. check that cover envelopes for postal votes satisfy the requirements on how such envelopes are to be prepared and, if this is the case, open the envelopes;
4. check that voters:
  - a) are included in the electoral roll for the electoral district,
  - b) have not delivered more than one window envelope or outer envelope for postal votes, and
  - c) have not voted at the polling station during the election day;
5. check that outer envelopes for postal votes satisfy the requirements on how such envelopes are to be prepared; and

6. open the window envelopes and outer envelopes for postal votes that satisfy the requirements under points 2, 4 and 5 and check that the envelopes contain outer envelopes for votes by messenger or vote envelopes, and that the envelopes satisfy the requirements on how such envelopes are to be prepared.

### **Section 10**

If a window envelope contains an outer envelope for votes by messenger, the voting clerks shall check that the outer envelope satisfies the requirements on how such envelopes are to be prepared. If this is the case the voting clerks shall open the outer envelope and check that it contains vote envelopes and that the requirements on how such envelopes are to be prepared are satisfied.

### **Section 11**

The voting clerks shall:

1. mark in the electoral roll those voters whose envelopes satisfy the requirements contained in Sections 9 and 10;
2. re-insert the vote envelopes that have been delivered in window envelopes into their window envelopes together with the voters' voting cards or address cards;
3. re-insert the vote envelopes that have been delivered in outer envelopes for votes by messenger into their outer envelopes, and re-insert these envelopes into their window envelopes together with the voters' voting cards or address cards; and
4. re-insert the vote envelopes that have been delivered in outer envelopes for postal votes into their outer envelopes, and re-insert these envelopes into their cover envelopes together with the voters' voting cards or address cards.

### **Section 12**

When vote reception is concluded, the voting clerks shall take the following steps with those envelopes that have been examined in accordance with Sections 9 and 10. They shall:

1. place those vote envelopes that satisfied the requirements contained in Sections 9 and 10 in the ballot box for the election to which the ballot paper relates;
2. insert the opened window envelopes or cover envelopes for postal votes that contain outer envelopes for votes by messenger, outer envelopes for postal votes or vote envelopes that do not satisfy the requirements contained in Sections 9 and 10 in special covers;
3. insert the window envelopes and cover envelopes for postal votes that did not satisfy the requirements contained in Section 9 in special covers; and
4. seal each cover.

### **Section 13**

If a cover that contains window envelopes or cover envelopes for postal votes is received from the election committee after vote reception in the electoral district is concluded, the cover shall not be opened but returned to the election committee.

### **Change of vote**

### **Section 14**

Voters may vote personally at their polling station even if they already have voted at a voting place or voted by post (change of vote). If the previous vote is at the polling station, the voter may only change their vote only after they have had the vote returned by the voting clerks.

*Security, etc.*

### **Section 15**

If vote reception is interrupted, each ballot box and the electoral roll shall be sealed and stored in a secure way. When vote reception resumes, the voting clerks shall first show those who are in attendance that the seals have not been broken.

### **Section 16**

A record shall be kept of vote reception at a polling station.

### **Section 17**

Outer envelopes for votes by messenger that contained vote envelopes that have been received and placed in the ballot box shall be handed over to the election committee. The committee shall store the envelopes during the period of the election.

## **Chapter 10. Vote reception at voting places**

### **Section 1**

In addition to the general provisions on voting and reception of votes in Chapters 7 and 8, the provisions of this Chapter shall apply for vote reception at voting places. If the provisions of this chapter deviate from those in Chapters 7 and 8, the provisions of this Chapter shall apply instead.

#### *When vote reception may take place*

### **Section 2**

For ordinary elections to the Riksdag and regional and municipal assemblies and elections to the European Parliament, vote reception may commence:

1. at voting places that a municipality has arranged: no earlier than on the eighteenth day prior to the election day; and
2. at a foreign mission: no earlier than on the twenty-fourth day prior to the election day.

For other elections, vote reception may commence:

1. at voting places that a municipality has arranged: no earlier than on the tenth day prior to the election day; and
2. at a foreign mission: no earlier than on the twentieth day prior to the election day.

Vote reception may continue:

1. at voting places that a municipality has arranged: up to and including the election day; and
2. at a foreign mission: as long as the window envelopes that have been arranged can be assumed to be received by the central election authority no later than on the day prior to the election day.

#### *How vote reception is arranged*

### **Section 3**

Voters or messengers shall give the voter's voting card to the voting clerks. However, this is not required:

1. if the information that the voting card contains is nonetheless available for the voting clerks; or
2. if vote reception is taking place at a foreign mission.

#### **Section 4**

In the notes that are kept under Section 7, it shall be stated how the identity of the voter or messenger has been checked.

The vote envelopes and outer envelopes for votes by messenger that the voting clerks receive shall, in the presence of the voter or messenger, be inserted into window envelopes together with the voter's voting card or, if vote reception is taking place at a foreign mission, an address card. The window envelope shall thereafter be stuck down.

#### **Section 5**

The window envelopes that have been prepared at voting places that a municipality has arranged shall be sent to the election committee in the municipalities where the voters are included in the electoral roll or delivered directly to the voting clerks in the electoral district, provided it can be assumed that the envelopes will get to them before the time for vote reception at the polling station expires.

The window envelopes that have been prepared at a foreign mission shall be sent to the central election authority.

#### **Section 6**

The window envelopes that are received by the central election authority shall be dealt with in the manner stated in Chapter 7, Section 15.

*Security, etc.*

#### **Section 7**

Notes concerning vote reception at a voting place shall be kept on an ongoing basis.

If vote reception is interrupted, these notes and any election material received shall be stored in a secure way during the interruption.

The notes and election material received shall also be stored separately and in a secure way pending the counting of votes.

## PART III. VOTE COUNTING

### Chapter 11. Preliminary vote counting at a polling station

#### **Section 1**

Immediately after vote reception at the polling station is concluded and all vote envelopes that shall be placed in the ballot box have been deposited in it, the voting clerks shall take out the envelopes and count the votes.

The vote count is public and shall be implemented without interruption. The result of the vote count is preliminary.

#### **Section 2**

If an election to the Riksdag has been held at the same time as another election, the election to the Riksdag shall be counted first. For each kind of election, the count shall be conducted in the following way:

1. The ballot box shall be emptied and the vote envelopes counted. The number of voters who participated in the election according to the electoral roll shall be counted.
2. The ballot papers shall be taken out of the vote envelopes. If a vote envelope contains more than one ballot paper, the ballot papers shall not be approved and shall be re-inserted into the envelope.
3. A ballot paper that may be assumed to be invalid under Chapter 13, Section 7, first paragraph, point 1 or 3 shall not be approved.
4. A ballot paper that may be assumed to be invalid under any of the grounds referred to in Chapter 13, Section 7 shall not be approved and shall be re-inserted into its vote envelope.
5. Ballot papers and vote envelopes referred to in points 2–4 shall be inserted into special covers.
6. The ballot papers that are approved shall be sorted into groups by party denomination. The number of ballot papers in each group shall be counted. The ballot papers for each party shall then be inserted into special covers.
7. Covers under points 5 and 6 shall be sealed.

The result of the vote count shall be noted in the record referred to in Chapter 9, Section 16.

#### **Section 3**

Immediately after the preliminary vote count is concluded, the voting clerks shall hand over to the election committee:

1. the electoral roll;
2. the record;
3. outer envelopes for votes by messenger referred to in Chapter 8, Section 10 and Chapter 9, Section 17; and
4. covers referred to in Section 2 and Chapter 9, Sections 12 and 13.

#### **Section 4**

The election committee shall retain the electoral rolls, the outer envelopes for votes by messenger referred to in Section 3 and the covers referred to in Chapter 9, Sections 12 and 13. The committee shall immediately hand over to the county administrative board:



1. the record; and
2. covers referred to in Section 2.

*When a vote envelope may be opened*

### **Section 5**

A submitted vote envelope may only be opened after it has been taken out of a ballot box for vote counting in accordance with the provisions of this Chapter or of Chapter 12.

## **Chapter 12. The election committee's vote counting**

*The election committee's preparations for vote counting*

### **Section 1**

On the Wednesday following the election day, the election committee shall meet to examine and count the votes that have not been counted at the polling stations. This meeting is public. The result of the committee's vote count is preliminary.

At the meeting the committee shall examine:

1. window envelopes and cover envelopes for postal votes that were received by the committee and retained there up to and including the election day;
2. window envelopes and cover envelopes for postal votes that the voting clerks have returned to the committee in accordance with Chapter 9, Section 13;
3. window envelopes and cover envelopes for postal votes that were received by the committee before any of the ballot boxes referred to in Section 2 have been emptied; and
4. window envelopes and cover envelopes for postal votes that the voting clerks have inserted into special covers in accordance with Chapter 9, Section 12.

The examination shall, where appropriate, be conducted in the same way as under Chapter 9, Sections 9–12.

If more time is needed to carry out the vote count in a satisfactory manner, the election committee shall continue its meeting for vote counting on the Thursday following the election day.

### **Section 2**

For each kind of election, a ballot box shall be used for each individual constituency into which the municipality is divided for elections to the municipal assembly.

*Preliminary vote counting*

### **Section 3**

When all vote envelopes that shall be placed in the ballot box have been deposited in it, the election committee shall remove the envelopes and count the votes. This is done in the same way as under Chapter 11, Section 2.

### **Section 4**

If window envelopes are received by the election committee during the vote counting after any of the

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ballot boxes has been emptied, the envelopes shall be kept separate from other envelopes. Such envelopes shall be inserted into one or more special covers, which are sealed.

### **Section 5**

Outer envelopes for votes by messenger that have contained vote envelopes that, upon examination under Section 1, have been placed in the ballot box shall be taken care of by the committee. The committee shall store these outer envelopes and outer envelopes referred to in Chapter 9, Section 17 during the period of the election.

### **Section 6**

The election committee shall keep records of its vote counting.

### **Section 7**

When the meeting for vote counting is concluded, the election committee shall immediately hand over to the county administrative board:

1. the committee's record; and
2. the covers that the committee has prepared.

If the county administrative board so requests, the committee shall also hand over the electoral rolls.

If, pursuant to Section 1, fourth paragraph, the election committee continues its meeting on the Thursday following the election day, on the Wednesday it shall hand over the covers that have been prepared for the elections for which vote counting has been completed.

## *Security*

### **Section 8**

If vote counting is interrupted, the covers that have been prepared and other election material shall be stored in a secure way during the interruption.

## Chapter 13. Final vote counting

### **Section 1**

The county administrative board shall conduct the final vote counting. The proceedings shall be public and shall be conducted without delay. If an election to the Riksdag has been held at the same time as another election, the election to the Riksdag shall be counted first.

### **Section 2**

At the proceedings, the county administrative board shall examine whether the ballot papers are valid under Sections 6 and 7 and whether any name on a ballot paper should be deemed to be non-existent under Section 8, and announce any decisions required by this examination. The county administrative board shall also announce any decisions that are necessary as a result of the information contained in records referred to in Chapter 9, Section 16.

## *More about the proceedings*

### **Section 3**

If the documents from the election committee are incomplete or inadequate in some other way, the

county administrative board shall request that they be supplemented. If necessary, the county administrative board shall also request information about why the documents are inadequate.

#### **Section 4**

The county administrative board shall give public notice of the time and place of the proceedings. In the public notice, the county administrative board shall state the order in which the various elections shall be counted. The public notice shall be displayed on the municipalities' notice boards and, no later than on the date before the day when the proceedings start, be entered in a local newspaper within the county.

#### **Section 5**

The county administrative board shall keep records of the proceedings.

#### *Grounds for invalidity*

#### **Section 6**

If ballot papers that voters have delivered are not stored in a secure way, they shall be declared invalid, provided it may be assumed that they have been subject to some unauthorised measure.

#### **Section 7**

A ballot paper is invalid if it:

1. does not have a party denomination;
2. has more than one party denomination;
3. has a party denomination for a party that has not registered participation in the election under Chapter 2; or
4. has marks that have obviously been made intentionally.

If there is more than one ballot paper in a vote envelope they are invalid. However, if the envelope contains several ballot papers and all have the same party denomination, one ballot paper shall be counted as valid. If the ballot papers are different in such a case, as regards candidate names or specific personal votes, the names on the ballot papers shall be deemed to be non-existent.

In examinations under the first and second paragraphs, a party symbol that a voter adds to a ballot paper is disregarded, where relevant.

#### *Non-existent candidate names*

#### **Section 8**

A candidate name on a ballot paper shall be deemed to be non-existent if:

1. the candidate is not eligible for election or it is not clearly indicated who is referred to;
2. the candidate has been added to a ballot paper that relates to a party that has registered a party denomination and notified candidates under Chapter 2, in cases other than when the candidate shall be considered to have received the voter's personal vote under Chapter 7, Section 2, fourth paragraph;
3. the candidate has not been notified and is on a ballot paper for a party that has registered a party denomination and notified candidates under Chapter 2; or
4. the candidate has not consented to candidacy under Chapter 2.

The candidate names on a ballot paper shall also be deemed to be non-existent if:

1. the ballot paper includes candidates but does not have a marked space for personal votes;
  2. more than one vote for a specific person is cast or it is not clearly indicated whom the personal vote relates to;
  3. it can be assumed that the marking for the personal vote for a person has been done automatically;
- or
4. the order among the candidates is not clearly indicated.

Candidate names shall not be deemed non-existent owing to them having been deleted from a ballot paper that includes candidates. Chapter 7, Section 2, third and fourth paragraphs contain special provisions for cases where a voters adds candidates on a ballot paper.

### *Conclusion of the proceedings*

#### **Section 9**

When the proceedings are concluded, the county administrative board shall notify the central election authority of the result of the vote count as regards elections to the Riksdag and the European Parliament. The county administrative board and the central election authority shall thereafter appoint members and substitutes in accordance with the provisions contained in Chapter 14.

#### **Section 10**

The ballot papers shall be inserted into special covers, which shall be stored during the period of the election.

Covers with ballot papers may only be opened if:

1. a new or continued vote count shall be conducted; or
2. it is otherwise necessary for the evaluation of the election by the election authorities.

## PART IV. DISTRIBUTION OF SEATS

### Chapter 14. Distribution of seats

#### **Section 1**

The central election authority shall, on the basis of the result of the final vote count, distribute the seats in the Riksdag and the European Parliament and determine which candidates have been elected as members and substitutes.

As regards elections to regional and municipal assemblies, the county administrative board shall distribute the seats between the parties and for each constituency determine which candidates have been elected as members and substitutes.

#### **Section 1a**

If, during an electoral period, Sweden receives further mandates in the European Parliament, the central election authority shall, on the basis of the results of the count of the votes in the most recent election to the European Parliament, distribute the further mandates and determine which candidates have been elected as members or substitutes.

#### **Section 2**

In the event that a calculation under this chapter results in equal numbers, which party, candidate or constituency will receive the seat or which seat shall be returned for new distribution shall be determined by the drawing of lots.

#### **Section 2a**

If, when the ballot papers are collected in groups to count the number of votes in each group under this Chapter, it is not possible to determine which group a ballot paper on which a candidate has been added under Chapter 7, Section 2, fourth paragraph belongs to, lots shall be drawn to decide which group the ballot paper with the added candidate shall be considered to belong to.

### *Distribution of seats between parties*

#### **Election to the Riksdag**

#### **Section 3**

For each constituency, the permanent constituency seats shall be distributed proportionally between the parties that may participate in the distribution. The distribution is made through a comparative number being calculated for the parties on the basis of the election results in the constituency. The party that on each calculation receives the greatest comparative number will be allocated a seat.

The calculation shall be conducted by applying the adjusted odd-number method. This means that as long as a party has not yet been allocated any seat, the comparative number is calculated by dividing the party's number of votes in the constituency by 1.2. When a party has received a seat, a new comparative number is calculated by dividing the party's number of votes by 3. Thereafter the process is continued in the same way by dividing the party's number of votes with the next highest odd number for each new seat allocated.

#### **Section 4**

To determine how many seats a party should have on aggregate in the Riksdag so as to be proportionally represented in the whole of Sweden, the adjusted odd-number method shall be applied to the whole of Sweden as a single constituency.

#### **Section 4a**

If, on distribution of the permanent constituency seats, a party has received more seats than corresponds to a proportional representation in the whole of Sweden, surplus seats shall be returned.

Returns under the first paragraph shall be made in the constituency or constituencies where the party has been allocated the seat or seats by the lowest comparative number. However, returns must not be made in a constituency with less than three permanent constituency seats.

Seats that are returned under the second paragraph shall, pursuant to the provisions in Section 3, be distributed between the other parties in the constituency that have not achieved proportional representation in the whole of Sweden through the distribution of permanent constituency seats.

#### **Section 4b**

If seats have been returned in two or more constituencies, these seats shall be distributed in an order whereby the party with the greatest comparative number is allocated the first seat and so on, according to the size of the comparative numbers for the parties that are to be allocated seats.

#### **Section 4c**

Each party shall be allocated as many adjustment seats as necessary for the party to be able to achieve representation corresponding to its proportion of all valid votes in Sweden.

#### **Section 5**

If, in the distribution of the permanent constituency seats under Sections 3, 4a and 4b, a party has received as many seats as necessary for it to be proportionally represented in the Riksdag, the party and the seats it has received shall be disregarded when distributing the adjustment seats. This also applies for a party and the seats that the party has received if it obtained less than 4 per cent of the votes in Sweden.

Of the adjustment seats that a party has received, the first is added for the constituency where, after the distribution of the permanent constituency seats, the party has a greater comparative number than in other constituencies. The remaining seats are added one after the other for the constituency where the party has the greatest comparative number for each round of the continued application of the adjusted odd-number method to the party's number of votes in the constituencies. However, in a constituency where the party has not obtained any permanent constituency seat the comparative number when allocating the first seat shall be equivalent to the party's number of votes.

#### **Other elections**

#### **Section 6**

The seats in a municipal assembly in a municipality that constitutes a single constituency shall be

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distributed between the parties that received at least 2 per cent of the votes in the municipality. In a municipality that is divided into two or more constituencies, the seats shall be distributed between the parties that received at least 3 per cent of the votes in the municipality.

The seats in a regional assembly shall be distributed between the parties that received at least 3 per cent of the votes in the region.

The seats in an election to the European Parliament shall be distributed between the parties that received at least 4 per cent of the votes in Sweden.

### **Section 7**

For each election and constituency, the permanent seats shall be distributed proportionally between the parties on the basis of the election results in the constituency. The distribution shall be made in the same way as for election to the Riksdag.

### **Section 8**

The provisions on elections to the Riksdag in Sections 3–5 apply correspondingly to the distribution of seats in regions and municipalities that are divided into constituencies.

## *How members are appointed*

### **Election to the Riksdag**

#### **Section 9**

In the first instance, the order between the candidates shall be determined on the basis of the amount of each candidate's number of personal votes. The number of personal votes shall be determined only for a candidate who has received specific personal votes corresponding to at least 5 per cent of the party's number of votes in the constituency.

A number of personal votes shall be determined on the basis of the specific personal votes cast for the candidate. Ballot papers on which a specific personal vote has been cast shall be arranged in groups according to party denomination. Thereafter, the number of personal votes for each candidate in the group will be counted. A candidate's number of personal votes equals the number of personal votes that have been cast for the candidate under the same party denomination. The candidate that has the greatest number of personal votes takes the first place in the order, the candidate that has the second greatest number takes the second place, and so on according to the same principle.

#### **Section 10**

If a sufficiently greater number of members cannot be appointed on the basis of a number of personal votes, the order between the remaining candidates shall be determined through comparative numbers being calculated in accordance with the following.

Upon the first computation, a ballot paper applies for the candidate who appears first on the paper, in which connection candidates that have already obtained a seat are ignored. Ballot papers with the same first candidate form one group. The number of votes for each group are counted. The number of votes equals the number of ballot papers included in the group. The same number is also the comparative number for the candidate who appears first on the group's ballot papers. The candidate whose comparative number is greatest takes the first place in the order.

Upon each following computation, a ballot paper applies for the candidate who appears first on the paper, but candidates who have already got a place in the order are ignored. The group or groups whose ballot papers on the immediately preceding computation applied for the candidate who got a place in the order, are dissolved and arranged in new groups, so that ballot papers that on the ongoing computation apply for one and the same candidate form one group. Other groups that have been formed shall however be retained. For each newly formed group the number of votes is counted.

The number of votes is equivalent to the number of ballot papers included in the group. The number of votes and comparative numbers are counted for all candidates that participate in the computation.

The number of votes for a candidate equals the number of votes for the group or the aggregate number of votes for the groups whose ballot papers apply to the candidate. The comparative number for a candidate equals the number of votes for the candidate, unless the group of ballot papers that applies to the candidate participated in filling a previously allocated place. If this is the case, the candidate's comparative number is obtained by the number of votes for the candidate being divided by the figure that corresponds to that part which the group has taken in filling a place or places that have been allocated (the number of group places), increased by 1, or, if several groups of ballot papers that apply to the candidate participated in filling a previously allocated place, with the aggregate number of places for these groups, increased by 1. The number of group places is calculated through the group's number of votes being divided by the greatest comparative number upon the computation immediately preceding the formation of the group. For a candidate who already appeared first on any ballot paper, a new number of group places is only calculated for newly added ballot papers. Fractions that arise upon divisions are calculated to 2 decimal points. The latter decimal figure may not be increased.

The candidate whose comparative number is greatest gets the next place in the order.

## **Discontinuation of double election for election to the Riksdag**

### **Section 11**

Candidates who have obtained seats in more than one constituency or for more than one party shall occupy the seat for which their number of personal votes is greatest in relation to the number of votes for the party. If the candidates have not occupied a place in the order on the basis of their number of personal votes, they shall occupy the seat for which their comparative number is greatest.

The seat that the candidate does not occupy shall pass to the candidate who would come first in the order according to the following. In the first instance the candidates are arranged on the basis of the calculation of their number of personal votes in accordance with the provisions of Section 9, second paragraph.

If a sufficient number of candidates cannot be arranged according to the second paragraph, they shall be arranged on the basis of the ballot papers that applied to the candidate who originally got a place in the order according to Sections 9 and 10. Upon such a computation, each ballot paper applies as a whole vote. The value of the number of votes shall be credited to the candidate who appears first on the paper of those who have not already got a place in the order. The candidate that gets the highest number of votes will get a place in the special order.

If the first paragraph results in two or more seats not being occupied these shall be filled one at a time according to the amount of the number of personal votes in relation to the number of votes for the



party. If all seats cannot thus be occupied they shall be filled according to the comparative numbers under Section 10.

### **Excess seats for election to the Riksdag**

#### **Section 12**

If a party in any constituency obtained more seats than corresponds to the number of candidates on the party's ballot papers, the excess seats shall, applying the calculation contained in Section 5, second paragraph, be moved to another constituency where the party participates in the distribution of permanent constituency seats.

### **Members of other elections**

#### **Section 13**

In other elections, members shall be determined according to provisions applicable regarding election to the Riksdag.

A number of personal votes shall only be determined for candidates who have had specific personal votes corresponding to at least 5 per cent of the number of votes that the party received in the constituency, but at least:

1. for election to a regional assembly: 100 votes;
2. for election to a municipal assembly: 50 votes.

#### *How substitutes are appointed*

### **The election to the Riksdag**

#### **Section 14**

For each member, as many substitutes are appointed as the number of seats obtained by the member's party in the constituency. However, at least three substitutes shall always be appointed for each member. A person who has been elected as a member shall be ignored when substitutes are appointed.

Substitutes are appointed through a special order among the candidates on the party's ballot papers. This order is calculated according to Section 11, second and third paragraphs.

If there is nevertheless no one who can be appointed as a substitute, the following shall apply. The candidate within the constituency whose turn it is to obtain the next seat for the party shall be appointed as substitute. If there is no such candidate on the party's ballot papers, applying Section 5, second paragraph, another constituency shall be determined, where the party participates in the distribution of permanent seats, from which the substitute shall be appointed. The person whose turn it is to obtain a seat for the party shall be appointed as substitute. There may only be one substitute under this paragraph for each member. If a substitute cannot be appointed in this way, no substitute shall be appointed.

### **Substitutes in other elections**

#### **Section 15**

Substitutes for regional assemblies and the European Parliament shall be appointed in the corresponding way as for election to the Riksdag.

## **Section 16**

Substitutes for a municipal assembly shall, in the first instance, be appointed on the basis of the order between the candidates produced in the calculation of their number of personal votes in accordance with Section 9.

In the second instance, substitutes shall be appointed by a calculation within the party for which they have been elected. In each calculation, regard shall only be given to those ballot papers that include the member's name and that therefore applied for that name, when they got a place in the order. Every ballot paper applies as a whole vote. The value of the number of votes shall be accredited to the name that appears highest on the paper among those who have not been appointed as members. The person who receives the greatest number of votes shall be appointed as a substitute for the member to whom the calculation relates.

If the number of substitutes that have been appointed is less than the number that the municipal assembly has determined in accordance with Chapter 5, Section 8, second paragraph of the Local Government Act (1991:900) and the same substitutes have been appointed for three or more members, a further substitute shall be appointed for each one of these members. In that case, the name of a candidate who, through the election, has been appointed as substitute for the member to whom the calculation relates shall also be deemed non-existent. Otherwise, the procedure is as stated in the first and second paragraphs.

If the number of substitutes is still less than the number that the municipal assembly has determined in accordance with Chapter 5, Section 8, second paragraph of the Local Government Act and the same substitutes have been appointed for five or more members, a further substitute shall be appointed for each one of these members.

Thereafter, successive further calculations are made correspondingly for the members whose substitutes have been appointed for seven or more members, nine or more members, and so on, for as long as the number of substitutes is less than the number that the municipal assembly has determined.

If the proportion of substitutes for the places that a party received is not a whole number, this shall be rounded up to the next whole number.

## **Section 17**

If there are not at least two substitutes appointed for a party in a municipal assembly, the following shall apply.

If, after substitutes have been appointed in accordance with Section 16, it transpires that only one substitute has been appointed for a member or members of a party, a further calculation shall be made until at least two substitutes have been appointed.

No substitute shall be appointed for that member if any substitute for a particular member is not appointed in this way.

*When members and substitutes resign during the period of the election*

## **Election to the Riksdag**

### **Section 18**

If a member of the Riksdag resigns during the period of the election, the central election authority shall at the request of the Speaker of the Riksdag appoint a new member. The person whose turn it is to enter according to the order between the substitutes under Section 14 shall be appointed as a new member.

### **Section 19**

If a new member has previously been a substitute under Section 14, third paragraph, a new substitute shall be appointed for the resigning member under Section 14. If the seat has been moved from one constituency to another, it shall be deemed to have been allocated to the latter constituency at the election.

The other candidates that would have been a substitute for the resigning member shall be a substitute for another member who is appointed in the place of a member who has resigned.

### **Section 20**

The central election authority shall, at the request of the Speaker of the Riksdag, applying Section 14, if possible appoint two new substitutes, if:

1. the number of substitutes for a member of the Riksdag has reduced to half or less than half of the number appointed at the election because substitutes have been appointed as ordinary members or have resigned for some other reason; or
2. the number of substitutes is not sufficient for the substitutes to be able to take over a member's position.

### **Other elections**

#### **Section 21**

If a member of a regional assembly, municipal assembly or the European Parliament resigns during the electoral period, the respective election authority shall, upon application, appoint a new member. A new member shall be appointed in accordance with the provisions on election to the Riksdag under Sections 18 and 19.

#### **Section 22**

If a substitute in a regional assembly has been appointed as an ordinary member, been elected in another constituency following a re-election, or resigned as a substitute for some other reason, the county administrative board shall, at the request of the chair of the assembly, make new calculations and appoint one further substitute for each member that is affected.

The other candidate who would have been a substitute for a resigning member shall be substitute for another member who is appointed in the place of a member who has resigned.

When making the calculation, the same calculation as for the appointment of substitutes shall be applied. No substitute shall be appointed if it is not possible to appoint a substitute under the first paragraph.

#### **Section 23**

If a substitute in a municipal assembly has been appointed as an ordinary member, been elected in another constituency following a re-election, or resigned as a substitute for some other reason, the county administrative board shall, at the request of the chair of the assembly, make new calculations

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and appoint one further substitute for each member that is affected. In cases where even after a substitute has resigned, the number of substitutes amounts to at least the number that the assembly determined, a new substitute shall only be appointed if the member would otherwise have no substitutes appointed for them.

The other candidate who would have been a substitute for a resigning member shall be substitute for another member who is appointed in the place of a member who has resigned.

Section 16 shall apply when making the calculation. No substitute shall be appointed if it is not possible to appoint a substitute under the first paragraph.

#### **Section 24**

The central election authority shall, at the request of the European Parliament, applying the rules on appointment of substitutes, if possible appoint two new substitutes if the number of substitutes for a member has reduced to half or less than half of the number appointed at the election because substitutes have been appointed as members or have resigned for some other reason.

#### *Conclusion of the election*

### **Election to the Riksdag and election to the European Parliament**

#### **Section 25**

When the central election authority has distributed seats between the parties and appointed members and substitutes, the election results shall be made public by being announced on the authority's physical notice board and published on the authority's website. The election is thereby concluded.

Public notice shall also be given in the same way when new members and substitutes are appointed under Sections 18–20 and 24.

The Act on Public Notice in Cases and Matters before Government Agencies, etc. (1977:654) applies with regard to such notice.

### **Election to regional and municipal assemblies**

#### **Section 26**

When the county administrative board has distributed seats between the parties and appointed members and substitutes, the election results shall be announced by public notice through the records being produced for examination. The election is thereby concluded.

The same applies when new members and substitutes have been appointed under Sections 21–23.

#### **Section 27**

If fewer than half of the number of members have been appointed for a regional or municipal assembly, the Election Review Board shall revoke the election and decide that there shall be a re-election of all members and substitutes.

#### *Issuance and examination of certificates for those appointed*

#### **Section 28**

For a person who has been appointed as a member of the Riksdag, a regional assembly, a municipal

assembly or the European Parliament or as a substitute, the respective election authority shall immediately issue a certificate to that effect. In the certificate, the election authority shall state:

1. the name of the person who has been appointed; and
2. the time, the party and the constituency that the member or substitute has been appointed for.

A certificate for a substitute shall also, where appropriate, contain details of the member or members for whom they have been appointed as substitute and the order between the substitutes if several substitutes have been appointed for the same member.

### **Section 29**

An extract from the record or other document from the calculation upon which the member or substitute has been appointed shall apply as a certificate. The certificate shall be sent to the person who has been appointed. For an election to the Riksdag, the certificate shall also be sent to the Election Review Board and the Speaker of the Riksdag. Certificates that relate to members of the European Parliament shall also be sent to the Parliament. Certificates that relate to regional and municipal assemblies shall be sent to the respective assembly.

### **Section 30**

The Election Review Board shall examine certificates for members of the Riksdag or members of the European Parliament and substitutes to determine whether these have been properly issued in accordance with Section 28. Following an election to the Riksdag, this review shall be concluded no later than on the day before the Riksdag to which the election related assembling for the Riksdag session. Other certificates that are received by the Election Review Board shall be examined as soon as this can be effected. A report on the examination shall be immediately delivered to the Speaker of the Riksdag. If the election relates to members of the European Parliament, the report on the examination shall also be sent to the Parliament.

### **Section 31**

The Election Review Board may assign the chair or the substitute for the chair, on behalf of the Board, to examine certificates for a member of the Riksdag or member of the European Parliament and substitutes for such members that are appointed during an ongoing period of the election as a result of the member having resigned or a substitute being appointed under Sections 18–20 and 24.

## PART V. CONCLUDING PROVISIONS

### Chapter 15. Appeals

#### **Section 1**

Decisions or other measures under this Act may only be appealed to the extent provided in this Chapter.

#### **Section 2**

Repealed by SFS 2014:301

#### *Appeals to the Election Review Board*

#### **Section 3**

Appeals may be made to the Election Review Board regarding:

1. the following decisions of the county administrative board:
  - a) decisions under Chapter 4, Sections 8 and 13 on the determination of the division of constituencies for elections to regional and municipal assemblies;
  - b) decisions under Chapter 4, Sections 10 and 14 on the number of constituency seats for elections to regional and municipal assemblies;
  - c) decisions under Chapter 4, Section 17 on the division into electoral districts;
2. decisions of the county administrative board or the central election authority on rectification of an electoral roll;
3. the following decisions of the central election authority or, where appropriate, the county administrative board:
  - a) decisions under Chapter 4, Section 3 concerning the number of constituency seats for elections to the Riksdag;
  - b) a decision in a matter under Chapter 2 on registration of party denomination;
  - c) a decision in a matter under Chapter 2 on the notification of candidates or Chapter 6 on ballot papers;
  - d) a decision in a matter under Chapter 2 on registration to participate in elections;
4. decisions of the county administrative board or the central election authority to determine the outcome of an election or decisions to appoint new members or substitutes under Chapter 14, Sections 18–24.

#### **Section 4**

A decision referred to in Section 3, point 4 may be appealed by:

1. a person who according to the electoral roll was entitled to vote in the election, and
2. a party that participated in the election.

The decision may be appealed by a candidate who has not been included in the electoral roll in question, when it relates to the question of their appointment as a member, successor or substitute.

#### *How to appeal*

## **Section 5**

An appeal against a decision to determine the outcome of an election under Section 3, point 4 shall be submitted to the Election Review Board.

An appeal against a decision in other cases shall be submitted to the authority that issued the appealed decision (the decision-making authority).

## **Section 6**

An appeal shall have been received by the decision-making authority or, in the case of an appeal against a decision to determine the outcome of an election under Section 3, point 4, by the Election Review Board:

1. in a matter referred to in Section 3, points 1, 3a and 3b: no later than three weeks from the date on which public notice was given of the appealed decision or, if public notice of the decision has not been given, within three weeks from the date when the appellant received the decision;
2. in a matter referred to in Section 3, point 2: no later than on the Wednesday prior to the election day;
3. in a matter referred to in Section 3, point 3c: no later than three weeks from the date when the appellant received the decision;
4. in a matter referred to in Section 3, point 3d: no later than one week from the date on which public notice was given of the appealed decision or, if public notice of the decision has not been given, within one week from the date when the appellant received the decision; and
5. in a matter referred to in Section 3, point 4: no earlier than on the day after the election and no later than ten days after the election was concluded or, if the appeal relates to a decision concerning the appointment of new members or substitutes under Chapter 14, Sections 18–24, within ten days after the count was concluded.

The Election Review Board determines whether appeals have been received in good time.

## **Section 7**

If an appeal that should be submitted to the decision-making authority is received by the Election Review Board within the appeal period, it shall be examined even if the appeal in writing is not received by the decision-making authority in time.

If an appeal against a decision to determine the outcome of an election under Section 3, point 4 that should be submitted to the Election Review Board is received by the decision-making authority within the appeal period, it shall be examined even if the appeal in writing is not received by the Election Review Board in time.

### *Consideration of appeals against elections*

## **Section 8**

In matters referred to in Section 3, point 4, public notice of all appeals shall be given simultaneously by being announced on the authority's physical notice board and published on the authority's website as soon as possible after the appeal period has expired. The Act on Public Notice in Cases and Matters before Government Agencies, etc (1977:654) applies with regard to such notice.

The decision-making authority shall promptly refer appeals against decisions to appoint new members or substitutes under Chapter 14, Sections 18–24 received by the decision-making authority to the Election Review Board.

### **Section 9**

The Election Review Board shall promptly submit comments to the decision-making authority on appeals referred to the Board by the authority.

### **Section 10**

A decision whereby a person has been appointed a member of a regional or municipal assembly or a substitute applies even if that decision has been appealed. If someone else has been appointed a member or substitute due to the appeal, that decision applies as soon as the election or count through which the member or substitute has been appointed is concluded.

Members of the European Parliament take up their seats when they have been appointed and their credentials have been verified by the European Parliament.

The provisions on suspension of effect in Section 48 of the Administrative Procedure Act (2017:900) are not applied to appointments referred to in this paragraph.

### **Section 11**

All members of the Election Review Board shall be present when an appeal is examined. If the appeal refers to a decision determining the outcome of ordinary elections to the Riksdag or ordinary elections to a regional or municipal assembly, the Board shall have the same composition as at the time of the elections in question. If the appeal refers to a decision determining the outcome of other elections, the Board may have the composition that it had at the time of the elections in question.

### **Section 12**

Authorities and others who assisted in connection with the election shall provide the Election Review Board with any information and statements requested by the Board.

If the Election Review Board considers that it is necessary for someone to be questioned as a witness in court, the Board can order a witness hearing to be held at a district court.

Chapter 35, Sections 10 and 11 of the Code of Judicial Procedure apply when taking evidence under the second paragraph. Remuneration to witnesses shall be paid from public funds. Costs for this shall be borne by the state.

### **Section 13**

The Election Review Board shall revoke an election and decide that there shall be a re-election in the constituency in question, if:

1. there was any deviation from the prescribed arrangements in the preparation and implementation of the election for which an authority was responsible; or
2. someone prevented voting, tampered with votes that had been cast or otherwise acted improperly in the election.

If rectification can be made by means of a recount or some other less radical measure, however, the Board shall instead direct the decision-making authority to effect the necessary rectification.



Non-official translation from Swedish into English of Vallag (SFS 2005:837, including amendments SFS 2008:1276, SFS 2010:1327, SFS 2010:1416, SFS 2010:1434, SFS 2013:1159, SFS 2014:301, SFS 2014:1384, SFS 2017:748, SFS 2018:28, SFS 2018:823, SFS 2018:1969, SFS 2019:923, SFS 2021:1328)

Rectification under the first or second paragraph shall only be made if there is reason to assume that what occurred impacted the outcome of the election.

A re-election to the Riksdag, a regional assembly or a municipal assembly refers only to the number of permanent seats and adjustment seats assigned to the constituency or constituencies concerned in the revoked election.

#### **Section 14**

If, upon a count referred to in Chapter 14, Sections 18–24 there has been a deviation from the prescribed system and it is not improbable that the deviation had an effect on the outcome of the count, the Election Review Board shall revoke the count and assign the deciding authority to implement the rectification that is necessary.

#### **Section 15**

If a particular decision cannot be appealed or if it shall be appealed in accordance with special rules, a circumstance referred to in the decision may not be cited in connection with an examination under Section 13 or 14.

#### **Section 16**

Sections 37–39 of the Administrative Procedure Act (2017:900) do not apply with regard to decisions that may be appealed under this Chapter.

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