

# The Elections Act

THE ELECTIONS ACT (1997:157)

(1997:157)



REGERINGSKANSLIET



# Chapter 1. General Provisions

**Section 1** This Act applies to elections to the Riksdag, to elections to county council and municipal assemblies and also to elections to the European Parliament.

In connection with such elections the voters vote for a party with an option for the voter to express a preference for a particular candidate.

## *Who is entitled to vote?*

**Section 2** A Swedish citizen who attains the age of 18 years no later than on the election day and who is resident in Sweden or has once been registered as resident in Sweden is entitled to vote in elections to the Riksdag. These provisions are contained in Chapter 3, Section 2 of the Instrument of Government.

**Section 3** A person who attains the age of 18 years no later than on the election day and who is registered as resident within the county council is entitled to vote for the county council assembly. A person who attains the age of 18 years no later than on the election day and who is registered as resident within the municipality is entitled to vote for the municipal assembly.

Citizens of one of the Member States of the European Union (Union citizens) together with citizens of Iceland or Norway who attain the age of 18 years no later than on the election day and who are registered as resident in Sweden are entitled to vote in elections for the county council and municipal assembly.

Other aliens who attain the age of 18 years no later than on the election day are entitled to vote in elections to the county council and municipal assembly if they have been registered as resident in Sweden for three consecutive years prior to the election day.

Provisions concerning the right to vote in elections to the county council and municipal assembly are contained in Chapter 4, Sections 2–4 of the Local Government Act (1991:900).

**Section 4** A person who is entitled to vote in elections to the Riksdag is also entitled to vote for the European Parliament.

Union citizens who are entitled to vote in accordance with Section 3, second paragraph, and who in elections to the European Parliament do not vote in any other Member State within the European Union, are entitled to vote in such an election in Sweden.

**Section 5** Issues concerning the right to vote under Sections 2–4 are determined on the basis of the electoral roll that is prepared before the election. Detailed provisions concerning the electoral roll are contained in Chapter 7.

### *Who is eligible for election?*

**Section 6** A person who is entitled to vote in elections to the Riksdag is eligible for election to the Riksdag. This is governed by Chapter 3, Section 10 of the Instrument of Government.

**Section 7** A person who on the election day is entitled to vote in elections to the county council or municipal assembly is eligible for such election. This is governed by Chapter 4, Sections 5 and 6 of the Local Government Act (1991:900).

**Section 8** Anybody who is entitled to vote in accordance with Section 4 is eligible for election to the European Parliament. However, Union citizens are eligible for election subject to the further precondition that, in accordance with Chapter 5, Section 16,

they prove that, in their homeland, they have not lost their eligibility to be elected to the European Parliament.

Nor is a person eligible for election who is

- a member of the Government of a Member State,
- a member of the Commission of the European Community,
- a judge, Advocate General or judicial clerk in the Court of Justice of the European Communities,
- a member of the European Court of Auditors,
- a member of the advisory committee of the European Coal and Steel Community or of the Economic and Social Committee of the European Community and the European Atomic Energy Community,
- a member of such committee or other body that has been appointed in accordance with the treaties on the establishment of the European Coal and Steel Community, European Community and European Atomic Energy Community to administer the funds of the Communities or to conduct a permanent and direct administration task,
- a member of the board, a member of the directorate or an employee of the European Investment Bank, or
- an officer or otherwise employed in active service within the institutions of the European Union or professional bodies linked to them.

### *When shall an election be held?*

**Section 9** An election shall be held on a Sunday.

### **General elections**

**Section 10** General elections to the Riksdag and general elections to the county council and municipal assembly shall be held on the same day. The election day shall be the third Sunday in September.

General elections to the Riksdag and general elections to the county council and municipal assembly are held every fourth year. This is governed by Chapter 3, Section 3 of the

Instrument of Government and Chapter 5, Section 5 of the Local Government Act.

## Extraordinary elections

**Section 11** In the event of an extraordinary election to the Riksdag being decided by the Government, the Government decides which date shall be the election day. Such an extraordinary election is held within three months from the decision. Following an election to the Riksdag, the Government may not decide on an extraordinary election before three months have expired from the first meeting of the newly elected Riksdag. Nor may the Government decide on an extraordinary election during the time when its members, after all members have been discharged, retain their posts pending a new Government taking office. These provisions are contained in Chapter 3, Section 4 of the Instrument of Government.

If the Riksdag has on four occasions rejected the Speaker's proposal for a Prime Minister, an extraordinary election to the Riksdag is held. In the event of such an extraordinary election to the Riksdag, the Speaker of the Riksdag, following consultation with the Central Election Authority, decides which date shall be the election day. Unless a general election to the Riksdag will nevertheless be held, an extraordinary election is held within three months. These provisions are contained in Chapter 6, Section 3 of the Instrument of Government.

## Re-elections

**Section 12** In the event of re-elections to the Riksdag, the Government shall decide which date shall be the election day.

In the event of re-election to the county council or municipal assembly, the Central Election Authority, following consultation with the County Administrative Board, shall decide which date shall be the election day.

## Elections to the European Parliament

**Section 13** Elections to the European Parliament shall be held in June every fifth year.

### *When the county council or municipal boundaries are altered*

**Section 14** If an altered county council or municipal boundary is to come into force on 1 January in the year after that in which a general election to the county council or municipal assembly was held, that election shall already relate to the county council or municipality in accordance with the new boundaries.

### *Election authorities*

**Section 15** There shall be a Central Election Authority. The Government shall decide the authority that shall be the Central Election Authority.

In addition to its other tasks under this Act, the Central Election Authority shall inform the public of when, where and how one should vote and also about what otherwise applies to the election.

**Section 16** The County Administrative Board shall be the regional election authority.

**Section 17** There shall be an election committee in every municipality. The election committee shall be the local election authority.

The election committee shall have access to staff to the extent necessary for the committee to be able to perform its tasks. That which a municipality, the election committee and the electoral officers are liable to do in accordance with this Act shall be paid for by the municipality.

For election committees applies what is provided for committees in the Local Government Act (1991:900)

**Section 18** If an altered municipal boundary involves the formation of a new municipality, the boundary commissioners shall elect members to the election committee and substitutes for these before the alterations enter into force. They shall do this as soon as possible during the year prior to the entry into force of the alterations.

### *Election Review Board*

**Section 19** An Election Review Board shall be appointed by the Riksdag. The Election Review Board is the final instance for appeals against elections and against such decisions where it is specifically stated that the decision may be appealed to the Board.

The Election Review Board consists of a chairperson, who is or shall have been an ordinary judge and who may not be a member of the Riksdag. The members of the Election Review Board are elected following every general election to the Riksdag as soon as the election has entered into force, for a term until a new election to the Board takes place. The chairperson is elected separately. Substitutes are appointed for the chairperson and the members.

These provisions are contained in Chapter 3, Section 11 of the Instrument of Government.

# Chapter 2. Constituencies

**Section 1** There shall be constituencies for elections. A constituency is a geographically defined area for which members shall be elected to the decision-making assembly to which the election relates.

Sweden comprises one constituency for elections to the European Parliament.

## *Elections to the Riksdag*

**Section 2** In connection with elections to the Riksdag, Sweden is divided into 29 constituencies. These are:

1. Municipality of Stockholm,
2. Stockholm County constituency (Stockholm County with the exception of the Municipality of Stockholm),
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. Municipality of Malmö,
12. Scania County western constituency (Municipalities of Bjuv, Eslöv, Helsingborg, Höganäs, Hörby, Höör, Landskrona and Svalöv),
13. Scania County southern constituency (Municipalities of Burlöv, Kävlinge, Lomma, Lund, Sjöbo, Skurup, Staffanstorp, Svedala, Trelleborg, Vellinge and Ystad),
14. Scania County northern and eastern constituency

- (Municipalities of Bromölla, Båstad, Hässleholm, Klippan, Kristianstad, Osby, Perstorp, Simrishamn, Tomelilla, Åstorp, Ängelholm, Örkelljunga and Östra Göinge),
15. Halland County,
  16. Municipality of Gothenburg,
  17. Western Götaland County western constituency (Municipalities of Härryda, Kungälv, Lysekil, Munkedal, Mölndal, Orust, Partille, Sotenäs, Stenungsund, Strömstad, Tanum, Tjörn, Uddevalla and Öckerö),
  18. Western Götaland County northern constituency (Municipalities of Ale, Alingsås, Bengtsfors, Dals-Ed, Färgelanda, Herrljunga, Lerum, Lilla Edet, Mellerud, Trollhättan, Vårgårda, Vänersborg and Åmål),
  19. Western Götaland County southern constituency (Municipalities of Bollebygd, Borås, Mark, Svenljunga, Tranemo and Ulricehamn),
  20. Western Götaland County eastern constituency (Municipalities of Essunga, Falköping, Grästorp, Gullspång, Götene, Hjo, Karlsborg, Lidköping, Mariestad, Skara, Skövde, Tibro, Tidaholm, Töreboda and Vara),
  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. Act (1997:227).

### *Elections to the county council assembly*

**Section 3** In connection with elections to the county council assembly, the county council shall be divided into constituencies.

A constituency shall comprise one or more municipalities unless provided by Section 4, second paragraph.

**Section 4** A constituency should be formed so that it can be estimated to obtain at least eight permanent constituency seats in accordance with the provisions of Chapter 3, Sections 5 and 6. 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 otherwise cannot be estimated to have at least eight permanent constituency seats. A municipality may also be divided into two or several constituencies, if in this way a more suitable division of constituencies can be attained.

**Section 5** If a municipality is divided into two or more constituencies for elections to the county council assembly and if the municipality is divided into constituencies for elections to the municipal assembly, the boundary for a constituency for elections to the county council assembly shall coincide with the boundary for a constituency for elections to the municipal assembly.

### *Elections to the municipal assembly*

**Section 6** In elections to the municipal assembly, the municipality is the constituency unless otherwise provided by the second paragraph.

If a municipality has more than 6,000 people who are entitled to vote, the municipality may be divided into two or more constituencies. If there are more than 24,000 who are entitled to vote in a municipality or if there shall be at least 51 councillors appointed for the municipality, the municipality shall be divided into two or more constituencies. A municipality that has fewer than 6,000 people who are entitled to vote may be divided into two or more constituencies only if there are extraordinary reasons

because the municipality stretches over a substantial geographical area or has other geographical circumstances that justify such a division.

The number of people who are entitled to vote in a municipality shall be calculated on the basis of the information in the population registration database in accordance with the Personal Data Proceeding (Tax authority population register operations) Act (2001:182) on 1 March in the year when the decision on constituency division is made.

**Section 7** A constituency shall be formed so that it can obtain at least 15 municipal councillors. It should have a continuous boundary line. The number of councillors for the entire municipality shall be distributed as evenly as possible.

### *Decisions on constituency divisions*

**Section 8** The division into constituencies for elections to the county council assemblies shall be decided by the councillors, after the municipalities have been given an opportunity to express their views. The decision shall be confirmed by the County Administrative Board in order to be valid.

**Section 9** Division into constituencies for elections to the municipal assemblies shall be decided by the councillors. The decision shall be confirmed by the County Administrative Board in order to be valid.

### *Time for decisions on division into constituencies*

**Section 10** Decisions by the county council and municipal assemblies concerning alteration of division into constituencies shall be notified no later than 31 October in the year before the election year in which the new division shall apply for the first time.

**Section 11** The government or the authority that decides on alteration to the division of Sweden into county councils or municipalities may, if it is necessary, decide that decisions on division into constituencies may be notified later than as stated in Section 10.

### *Appeals*

**Section 12** Decisions of county council and municipal assemblies' concerning division into constituencies may not be appealed against.

The County Administrative Board's decisions on the confirmation of constituency divisions in accordance with Sections 8 and 9 may be appealed against to the Election Review Board.

# Chapter 3. Constituency seats

## *Seats in the Riksdag*

**Section 1** The Riksdag consists of 349 members. The 349 seats comprise 310 permanent constituency seats and 39 adjustment seats. This is governed by Chapter 3, Sections 1 and 6 of the Instrument of Government.

Detailed provisions on how permanent constituency seats and adjustment seats are distributed on the basis of election results are contained in Chapters 18 and 20.

**Section 2** The Central Election Authority shall for elections to the Riksdag decide how many permanent constituency seats every constituency should have. This shall be done in the following manner:

Every constituency shall receive a permanent constituency seat for every time that the number of people who are entitled to vote in the constituency is evenly divisible by a 310th part of the number of persons who are entitled to vote in the whole of Sweden.

If it is not possible to allot all the permanent constituency seats in this manner, the constituencies obtain the remaining seats in turn according to the excess that arises from the computation. When the excess number is equal in two or several constituencies, drawing of lots shall determine which constituency shall obtain the seat.

The number of people entitled to vote shall be computed on the basis of the information in the population registration

database in accordance with the Personal Data Proceeding (Tax authority population register operations) Act (2001:182) on 1 March in the year preceding the election year.

**Section 3** Altered county boundaries or altered municipal boundaries shall be taken into account in connection with elections to the Riksdag as early as from and including the day on which the alteration was decided, provided that the decision will influence the number of permanent constituency seats and it enters into force on 1 January in the year after that in which the general election to the Riksdag was held.

### *Seats in county council assemblies*

**Section 4** County council assemblies decide on how many seats the assemblies shall have. This is governed by Chapter 5, Section 1 of the Local Government Act (1991:900).

**Section 5** Seats in county council assemblies consist of permanent constituency seats and adjustment seats.

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

Detailed provisions on how permanent constituency seats and adjustment seats are allotted on the basis of the election result are contained in Chapters 18 and 20.

**Section 6** The County Administrative Board shall decide how many permanent constituency seats every constituency shall have. This shall be done in the following manner.

The number of people entitled to vote in the county council is divided by the number of permanent constituency seats and, thereafter, the number of people entitled to vote in every constituency is divided by the number that is the result of

that computation. Every time that the number entitled to vote in a constituency is evenly divisible by this number the constituency obtains a seat.

If it is not possible to allot all the permanent constituency seats in this way, the constituencies obtain the remaining seats in turn according to the excess that arises from the computation. When the excess number is equal in two or several constituencies, drawing of lots shall determine which constituency shall obtain the seat.

The number of people entitled to vote in the county council shall be computed on the basis of the information in the population registration database in accordance with the Personal Data Proceeding (Tax authority population register operations) Act (2001:182) on 1 March in the year preceding the election year.

### *Seats in the municipal assemblies*

**Section 7** The municipal assemblies shall decide how many seats the assemblies shall have. This is governed by Chapter 5, Section 1 of the Local Government Act (1991:900). All seats in the assemblies are permanent seats. Detailed provisions on how the seats are allotted on the basis of election results are contained in Chapters 18 and 20.

**Section 8** If a municipality is divided into several constituencies, the County Administrative Board shall decide how many seats each constituency shall have. This shall be done in the following manner:

The number of people entitled to vote in the municipality is divided by the number of seats and, thereafter, the number of people entitled to vote in each constituency is divided by the number that is the result of that computation. Every time that the number entitled to vote in a constituency is evenly divisible by this number the constituency obtains a seat.

If it is not possible to allot all the seats in this manner, the

constituencies obtain the remaining seats in turn according to the excess that arises from the computation. When the excess number is equal in two or several constituencies, drawing of lots shall determine which constituency shall obtain the seat.

The number of people entitled to vote in the municipality shall be computed on the basis of the information in the notification register according to the population registration database in accordance with the Personal Data Proceeding (Tax authority population register operations) Act (2001:182) on 1 March in the year preceding the election year.

**Section 9** If the number of seats that a constituency receives in accordance with Section 8 is less than 15, the number shall nevertheless be decided to be 15. The number of seats in other constituencies shall then be adjusted to a corresponding extent. In such a case, the constituency boundaries shall be reviewed before the next election.

*When shall the allotment between the constituencies of the permanent seats be decided?*

**Section 10** Decisions of the Central Election Authority according to Section 2 and decisions of the county council according to Sections 6, 8 and 9 on the number of permanent constituency seats shall be notified no later than 30 April in the year in which a general election shall be held.

**Section 11** The government or the authority that decides on alterations to the division of Sweden into county councils or municipalities may, if it is necessary, decide that decisions on allotment of seats may be notified later than as stated in Section 10.

## *Appeals*

- Section 12** Appeals may be made to the Election Review Board against
- decisions of the Central Election Authority according to Section 2 on the number of constituency seats for elections to the Riksdag, and
  - decisions of the County Administrative Board according to Sections 6, 8 and 9 concerning the number of constituency seats for elections to the county council and municipal assemblies.

# Chapter 4. Electoral districts and electoral officers

## *Electoral districts*

**Section 1** Every municipality shall be divided into geographically defined voting areas. Such an area shall be called an electoral district. All persons entitled to vote at the same land unit shall be referred to the same electoral district.

**Section 2** If the municipality has more than one constituency for elections to municipal assemblies, every such constituency shall comprise one or several electoral districts.

**Section 3** An electoral district should comprise 1,200–2,000 people entitled to vote. If there are special reasons, an electoral district may comprise fewer than 300 or more than 2,000 persons entitled to vote.

On proposal of the assembly in the municipality, the County Administrative Board shall decide on the division of the municipality into electoral districts. The County Administrative Board shall keep a register of the division. The municipality shall review the division in the year immediately preceding the year in which the general election to the Riksdag shall be held.

If it is necessary, the County Administrative Board may of its own accord decide on the division into electoral districts. Before the County Administrative Board makes such a decision, the assembly in the municipality should be given an opportunity to express its views.

## *Time for decisions on division into electoral districts*

**Section 4** Decisions of the County Administrative Board on division into electoral districts shall be notified no later than 1 December in the year preceding the year in which the decision shall be applied for the first time. If it is necessary, having regard to changes in the division of land units, decisions on minor amendments to the division into electoral districts may also be made after this date.

The County Administrative Board shall immediately give public notice of decisions on division into electoral districts in local newspapers.

**Section 5** The government or the authority that decides on alteration to the division of Sweden into county councils or municipalities may, if it is necessary, decide that decisions on division into electoral districts may be notified later than as stated in Section 4.

## *Electoral officers*

**Section 6** When an election is to be held according to this Act, the election committee shall appoint at least four persons to be electoral officers in every electoral district. The committee shall appoint one of these to be the presiding officer and one to be a substitute for the presiding officer.

When voting takes place, at least three of the electoral officers shall be present. One of these shall be the presiding officer or the substitute for the presiding officer.

**Section 7** All those who are eligible for election as members of the election committee are obliged to accept an assignment as an electoral officer, unless they have a valid impediment.

## *Appeals*

**Section 8** Decisions of the County Administrative Board in accordance

with Section 3 on matters concerning division into electoral districts may be appealed against to the Election Review Board.

If an election committee has decided not to accept an impediment to receiving an assignment as an electoral officer, that decision may be appealed against to the County Administrative Board. The time for appeal is counted from the date when the decision was given. Decisions of the County Administrative Board may not be appealed against.

# Chapter 5. Registration of party denominations and notification of candidates

## *Party denominations are protected by registration and notification of candidates*

**Section 1** A party denomination may be protected in connection with an election. In order to obtain such protection, the party shall register the party denomination and give notice of candidates for the election.

**Section 2** The protection for a registered party denomination consists of such names as have been written in or which do not relate to any of the candidates whom the party notified for election in accordance with Section 13 shall be deemed non-existent if they appear on ballot papers for the party.

Provisions concerning ballot papers with registered party denominations are also contained in Chapter 6, Sections 3 and 5 and Chapter 18, Section 11.

## *Applications for registration*

**Section 3** Applications for registration of a party denomination are made to the Central Election Authority. In order for a party's denomination to be registered, the requirements of Sections 4–7 shall be satisfied.

**Section 4** Applications for registration of a party denomination shall be in writing. It shall be stated in the application which kind of election that the party seeks registration for. If the application

relates to registration for election to county council or municipal assemblies, the party shall also state which county council or which municipality it requests registration for. Applications shall be accompanied by declarations according to Section 7 or a certification by a notary public that such declarations have been shown to him or her.

**Section 5** Applications for registration of a party denomination shall have been received by the Central Election Authority no later than the last day of February in the year in which the election shall be held in order for the party denomination to be entitled to protection at the election. If the application relates to an election other than a general election to the Riksdag, general elections to county council and municipal assemblies or elections to the European Parliament, the application shall have been received within one week after the decision about the election day was given.

### *Conditions for registration*

**Section 6** The Central Election Authority shall register a party denomination if the following conditions are satisfied.

1. The party denomination consists of or contains words.
2. The party is not a subsection of a political alliance.
3. An application for registration for an election to the Riksdag has documented support of at least 1,500 people entitled to vote throughout Sweden, unless the party is represented in the Riksdag.
4. An application for registration for an election to the county council or municipal assemblies has documented support of at least 100 and 50 people respectively who are entitled to vote in the county council or the municipality to which the application relates.
5. An application for registration for an election to the European Parliament has documented support of at least

1,500 people entitled to vote throughout Sweden, unless the party is represented in the Parliament.

6. The party denomination cannot be assumed to be confused with a denomination:

- that is already registered, or
- that a party has already applied to have registered, if the denominations would be registered for the same election.

7. The party denomination cannot be assumed to be confused with a denomination that previously applied for the same kind of election but was de-registered at most five years ago as a result of a change of name.

Section 9 contains provisions on exceptions from the requirements under item 6.

**Section 7** Those who, in accordance with Section 6, items 3–5, support an application for registration shall themselves sign a declaration concerning the support. They shall also in the declaration state their civil registration numbers and the municipality where they are registered as resident.

### *To which elections the registration applies*

**Section 8** If a party denomination is registered for an election to the Riksdag, the registration also applies for an election to the county council and municipal assemblies throughout Sweden and also for an election to the European Parliament. If a party denomination is registered for an election to the county council assemblies, the registration applies to an election in the county council and elections to municipal assemblies in those municipalities located within the county council. If a party denomination is registered for an election to the municipal assembly in a municipality, the registration applies to an election in that municipality. If a party denomination is registered for an election to the European Parliament, the registration applies to that election.

- Section 9** If a party that has registered a party denomination consents, another party may have the same denomination registered
- for an election to the Riksdag even if the denomination has already been registered for an election to the county council or municipal assemblies, or
  - for an election to the county council assembly, even if the party denomination is already registered for an election to municipal assemblies within the county council.

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

### *Representatives shall be notified*

- Section 10** A party that has had its party denomination registered shall give notice of a representative to the Central Election Authority within one month of the date of the public notice of the registration of the party denomination having been given in accordance with Section 12.

The representatives that the parties have given notification of are authorised to give consent under Section 9.

### *When is a party denomination de-registered?*

- Section 11** A registered party denomination shall be removed from the register if:
1. the party so requests
  2. the party has not given notice of candidates for two consecutive general elections to the Riksdag, county council or municipal assemblies or the European Parliament, or
  3. the party has not given notice of a representative in accordance with Section 10.

## *Public notice of registration and de-registration*

**Section 12** When a party denomination has been registered or removed from the register, the Central Election Authority shall give public notice of this in the Post- och Inrikes Tidningar (Official Gazette).

## *Notification of candidates*

**Section 13** In order to protect their denomination in connection with elections, parties that have registered party denominations shall also give notice of all of their candidates. Notifications shall be made to the Central Election Authority. If the Government or the authority appointed by the Government so prescribes, notification may be given instead to the County Administrative Board.

**Section 14** Notification of candidates shall be given in writing by the party's representative or by a person appointed by the representative. The candidates shall give a written declaration that they have given the party permission to give notification of them. The declaration shall be sent with the notification.

**Section 15** For elections to the Riksdag, the parties shall give notification of candidates in a particular constituency. For elections to the county council assemblies, the party shall give notification of candidates who are registered as resident in the county and, as candidates for elections to the municipal assemblies, people registered as resident in the municipality. For elections to the European Parliament, the parties shall give notice of candidates for Sweden.

## *Assurance by Union citizens desiring to be candidates*

**Section 16** Union citizens who are not at the same time Swedish citizens and who wish to be candidates in elections to the European Parliament shall, no later than the date determined by the

Central Election Authority in accordance with Section 19, provide an assurance to the Central Election Authority. In this, they shall:

- state their nationality and their address in Sweden,
- state the constituency or the area in the home country where they were last listed in an election roll, and
- give an assurance that they are not candidates in an election to the European Parliament in any other state.

A certificate shall be attached to such an assurance by the competent authority in the home country that eligibility for election has not been lost there or that this ground for disqualification does not exist as far as the authority knows. A report that a Union citizen has declared that he or she wishes to be a candidate in an election to the European Parliament shall be submitted to the election authority in the state where the person is a citizen. Act (1999:128).

### *Inadequate notification of candidates*

**Section 17** If a notification lacks information, the authority that received the notification shall immediately advise the person who gave notification of the candidates. If the matter relates to an assurance in accordance with Section 16, the Central Election Authority shall advise the candidate personally. This shall also apply if a declaration or a certificate that is attached to a notification or to an assurance lacks information. The advice shall state the latest date by which the documents shall have been altered or supplemented. The matter shall be finally considered by the Central Election Authority as soon as possible after this date.

**Section 18** The name of candidates shall be deemed non-existent in the notification if the party cannot show that it has obtained the consent of the candidates to give notification of them.

A candidate who does not produce a certificate in accordance with Section 16, second paragraph, may not be a

candidate. If such a candidate's name has been notified for an election, the candidate's name shall be deemed non-existent.

### *Time for notification of candidates*

- Section 19** The Central Election Authority shall in preparation for every election
- decide the latest date for giving notification of candidates,
  - give public notice of this date in the Post- och Inrikes Tidningar (Official Gazette),
  - advise every party that has registered its party denomination of the date, and
  - decide the latest date for providing the assurance in accordance with Section 16.

### *Lists of parties who have given notification of candidates*

- Section 20** The Central Election Authority shall prepare lists of the parties that have registered party denominations and given notification of candidates. Such lists shall be prepared for each kind of election and for every Riksdag constituency, every county council and every municipality or, in connection with elections to the European Parliament, Sweden as a whole.

The Central Election Authority shall upon request provide lists of the parties that have registered a party denomination and given notification of candidates.

### *Appeals*

- Section 21** The decision of the Central Election Authority on matters according to this Chapter may be appealed against to the Election Review Board.

# Chapter 6. Ballot papers

## *The design and content of ballot papers*

**Section 1** The Central Election Authority shall provide the ballot papers that shall be used at elections.

**Section 2** The ballot papers shall be alike in size and material. For elections to the Riksdag, yellow, for elections to the county council assemblies, blue, and for elections to the municipal assemblies, white ballot papers shall be used. For elections to the European Parliament, white ballot papers shall be used.

The Central Election Authority may endorse ballot papers with a special denomination to facilitate counting them.

**Section 3** A party denomination shall be included on a ballot paper. A ballot paper should also contain

- names of one or several candidates,
- a constituency designation that indicates which constituency the ballot paper is intended for,
- an election designation that shows which election the ballot paper applies to, and
- information that the party that the ballot paper applies to has registered its party denomination and given notification of candidates in accordance with Chapter 5, Section 13.

**Section 4** On ballot papers that contain the names of candidates, every candidate should to be identified in such a way that it is clearly indicated who is meant.

If a ballot paper contains the names of candidates, a designated space shall be included on the ballot paper next to every name where the voters can give a separate personal vote by a mark.

If a ballot paper contains the names of candidates, the names shall be supplied with a number and included in numerical order under each other.

**Section 5** If a voter writes in a name of a candidate on a ballot paper for a party that has not registered its party denomination or given notification of candidates in accordance with Chapter 5, Section 13, the voter shall be deemed to have given a separate personal vote for that name. If several names of candidates have been written on such a ballot paper, the voter shall be deemed to have given a personal vote for the first name.

It is indicated by Chapter 18, Section 11, third paragraph, that deletions of names on ballot papers that include names shall not be taken into account.

### *When someone has not consented to being a candidate*

**Section 6** A person who has been stated as a candidate on a ballot paper that is provided at an election without having consented to it, may give notification of this to the County Administrative Board. The notification shall be given in writing.

The County Administrative Board shall maintain a list of the notifications that have been received prior to the election.

### *How ballot papers shall be ordered and how they shall be made available*

**Section 7** The Central Election Authority supplies upon order ballot papers for every party to the number desired by the party.

An order from a party that has registered its party

denomination and given notification of candidates in accordance with Chapter 5, Section 13 is only supplied if the order is placed by an authorized representative of the party, by the agent of the party, or by a person appointed by the agent.

The Central Election Authority provides ballot papers with the party denomination and election designation (party ballot papers) to be put out at the voting places in accordance with Chapter 9, Section 12 or to be carried by rural postmen in accordance with Chapter 14, Section 7 only upon the application of an authorised representative of the party or the agent of the party.

**Section 8** The State is responsible for the expense of providing a number of ballot papers that corresponds to three times the number of persons entitled to vote in the constituency to a party that is participating in the election to the Riksdag, provided the party in this election receives or in one of the last two Riksdag elections has received more than 1 per cent of the votes in the whole of Sweden. This also applies to a party that, without having attained the stated proportion of votes, is or by the election will be represented in the Riksdag.

**Section 9** The State is responsible for the expense of providing a number of ballot papers that corresponds to three times the number of persons entitled to vote in the election to a party that is participating in an election to the county council or municipal assemblies, provided the party is or by the election will be represented in the assembly.

**Section 10** The State is responsible for the expense of providing a number of ballot papers that corresponds to three times the number of people entitled to vote in the election to a party that is participating in the election to the European Parliament, provided the party in this election receives or in one of the last two elections to the European Parliament has received more than 1 per cent of the votes in the whole of Sweden.

**Section 11** When applying Sections 8–10, the number of people who are entitled to vote is computed on the basis of the information in the notification register according to the population registration database in accordance with the Personal Data Proceeding (Tax authority population register operations) Act (2001:182) on 1 March in the year preceding the election year.

**Section 12** The Central Election Authority supplies only ballot papers that the person ordering pays for in advance provided:

1. the ballot papers are ordered by a party other than as stated in Sections 8–10,
2. the ballot papers are ordered by someone other than a person who is an authorized representative for the party, or
3. the number of ballot papers ordered exceeds that stated in Sections 8–10.

**Section 13** If a party has paid for the ballot papers in advance and if the party in accordance with Sections 8–10 is entitled in the election to obtain ballot papers free of charge, the advance payment shall be repaid. The repayment shall correspond at most to what the State is liable for in accordance with Sections 8–10.

The amount shall be paid back to the party irrespective of who paid the advance.

**Section 14** The Central Election Authority shall supply upon order and without special remuneration ballot papers with party denominations and candidate names and also constituency and election designations.

*When shall ballot papers be ordered?*

**Section 15** Before an election, the Central Election Authority shall decide the last date by which ballot papers shall have been ordered, in order that for them to be delivered 45 days before

the election day. In special cases, the authority may decide on a later date for ordering and delivery.

If an order is received later than when the Central Election Authority has decided, ballot papers shall be made available only if they can be delivered before the election day and without the delivery of previously placed orders being delayed.

The Central Election Authority shall prior to an election also decide the final date when applications in accordance with Chapter 6, Section 7, third paragraph shall have been made.

**Section 16** The Central Election Authority is entitled to receive help from the County Administrative Board in matters under this Chapter.

### *Appeals*

**Section 17** A decision by the Central Election Authority on a matter under this Chapter may be appealed against to the Election Review Board.

# Chapter 7. Electoral votes and voting cards

## *Who shall be included in the electoral roll*

**Section 1** The electoral rolls for elections to the Riksdag shall contain information about all Swedish citizens who attain the age of 18 years no later than on the election day and who are or have been registered as resident in Sweden.

Swedish citizens who have not been registered in Sweden at any time during the last 10 years shall be included in an electoral roll only if they have applied in writing no later than 30 days before the election day. A person who has made such an application shall be included in the electoral roll for 10 years from the date of the application.

If a vote relates to a person who is not included in an electoral roll but who otherwise satisfies the requirements for entitlement to vote, the vote cast shall be deemed to be an application in accordance with the second paragraph. There are also rules in Section 10 concerning the matter of applications.

**Section 2** The electoral rolls for elections to the county council and municipal assemblies shall contain information about

- all Swedish citizens who attain the age of 18 years no later than on the election day and who are registered as resident in the county and municipality respectively,
- Union citizens together with citizens of Iceland and Norway who attain the age of 18 years no later than on the

election day and who are registered as resident in the county and municipality respectively, and

- other aliens who attain the age of 18 years no later than on the election day, who are registered as resident in the county and municipality respectively and who have been registered as resident in Sweden for three consecutive years before the election day.

- Section 3** The electoral rolls for elections to the European Parliament shall contain information about
- Swedish citizens referred to in Section 1, and
  - Union citizens who attain the age of 18 years no later than on the election day, who are registered as resident in Sweden and who in accordance with Section 5 have given written notice to the County Administrative Board of their wish to be included in the electoral roll.

*The information on which an electoral roll is based*

- Section 4** When an election is to be held in accordance with this Act, the Central Election Authority shall prepare an electoral roll for every electoral district. It is the information in the population registration database in accordance with the Personal Data Proceeding (Tax authority population register operations) Act (2001:182) and in the land register in accordance with the Land Registration Act (2000:224) 30 days before the election day that shall form the basis of the information in the electoral rolls.

*Specifically on the electoral roll in the case of elections to the European Parliament*

- Section 5** Union citizens who wish to exercise their voting rights in elections to the European Parliament shall no later than 30 days before the election day give written notification to the County Administrative Board of their wish to be included in the electoral roll.

A person who makes such an application shall be included in an electoral roll until he or she is deleted from it on his or her own request or the conditions for entitlement to vote are no longer satisfied.

In his or her application, a Union citizen shall in a written assurance

- state his or her nationality and address in Sweden,
- state the constituency or the area in the home country where they were last registered in an electoral roll, and
- give an assurance that they will not vote in another Member State.

Decisions on account of applications are pronounced when the electoral roll is prepared. Notification of such a decision shall be dispatched to the electoral authority in the state where the voter is a citizen. Act (1999:128).

*In which electoral roll shall those who are entitled to vote be included?*

**Section 6** The information in the population registration database in accordance with the Personal Data Proceeding (Tax authority population register operations) Act (2001:182) shall form the basis of decisions concerning in which electoral roll voters referred to in Sections 1–3 shall be included. They shall be registered in the electoral roll for the electoral district within which they are registered as resident 30 days before the election day. Those who, at that time, are not registered as resident in Sweden shall be registered in the electoral roll in the electoral district in which they were last registered as resident. If there is no information about registration of residence enabling reference to a particular electoral district but there is information about the municipality in which they were last registered as resident, the County Administrative Board decides in which electoral roll they shall be included.

## *Voting cards*

**Section 7** The Central Election Authority shall prepare a voting card for every individual included in an electoral roll. For elections that are held at the same time, a joint voting card shall be prepared. For voters who do not have any known address, a voting card shall only be prepared if they request it.

A voting card shall contain information about

- the voter's name and number in the electoral roll, and
- the elections in which the voter may participate.

The voting card should also contain other information about the election.

**Section 8** The voting card shall be dispatched as soon as possible, although no later than in sufficient time so that it can be estimated to be received by voters who are registered as resident in Sweden no later than 18 days before the election day.

**Section 9** Voters who have lost their voting cards or who do not have any voting card shall receive a duplicate voting card if they so request.

Duplicate voting cards shall be ordered from the tax authority. Those who wish to have a duplicate voting card shall provide information about their name and civil registration number.

## *Notification of address*

**Section 10** A notification of address from a Swedish citizen who is not registered as resident in Sweden shall be deemed also to be an application to be included in an electoral roll, provided the notification is made in writing to a tax authority.

## *Rectification of information in an electoral roll*

**Section 11** Persons who consider that the electoral roll contains incorrect information about them shall, no later than twelve days before the election day, request in writing that the information is rectified. This also applies to those who consider themselves to have been wrongly excluded from the electoral roll. Anything that has happened later than 30 days before the election day may not form a basis for rectification under this Section.

Issues concerning rectification shall be considered by the County Administrative Authority.

**Section 12** If the Central Election Authority receives a message from an authority in any other Member State that a person, who is entitled to vote and who is registered in an electoral roll in Sweden, is registered in an electoral roll in another country or has already cast a vote in an election to the European Parliament, the Central Election Authority shall immediately rectify the electoral roll unless the voting card has already been sent to the voter.

If a vote is made by a Swedish national who is not registered as resident/registered in the population register in Sweden and who is not included in the electoral roll, the Central Election Authority shall immediately correct the electoral roll if the vote was received by the Authority no later than 12:00 on the day prior to the election date.

**Section 13** When all decisions concerning rectification have been entered into the electoral roll, it shall be dispatched as soon as possible to the municipality in which the electoral district lies.

If there was not enough time to include the decision on correction in the electoral roll before it was sent to the municipality, the Central Election Authority or County Administrative Board may direct the election committee in the municipality to attend to the inclusion of the correction.

## *Appeals*

**Section 14** The Central Election Authority's or the County Administrative Board's decision on a matter concerning rectification may be appealed against to the Election Review Board.

The message containing the appeal shall have been received by the authority that made the decision (the deciding authority) not later than on the Wednesday prior to the election day. The message shall be immediately forwarded to the Election Review Board.

If the message with the appeal arrived at the Election Review Board within the appeal period, the appeal shall be considered even if the message was not received by the deciding authority in time.

The Election Review Board determines whether a message with an appeal has been received in good time.

The deciding authority shall immediately submit to the Election Review Board views on the appeal. The provisions contained in Sections 27 and 28 of the Administrative Procedure Act (1986:223) concerning consideration of decisions shall not be applied.

# Chapter 8. Envelopes

**Section 1** For elections there shall be

- vote envelopes,
- outer envelopes for proxy votes, and
- window envelopes. The envelopes are only available through the Central Election Authority.

**Section 2** Vote envelopes shall be designed in such a way that the colour of the ballot paper that the voter has placed into the envelope may be seen without the election secrecy being revealed.

**Section 3** Vote envelopes and outer envelopes for proxy votes shall be available in good time before the election

- from election committees,
- at the post offices where voting shall be arranged,
- from those who are responsible for the special vote collection in every municipality, and
- at the foreign missions that arrange vote collection.

Such envelopes shall also be available from Posten Aktiebolag's rural postmen who shall take care of outer envelopes for proxy votes and from the persons who have been assigned by the election committee to make vote envelopes and outer envelopes available.

Window envelopes for voting at post offices, at special voting places within Sweden and at such special voting places arranged by a foreign mission shall be available in good time before the election from the respective vote collector.

**Section 4** A party who at either of the last two elections to the Riksdag obtained more than 1 per cent of the votes in the whole of Sweden shall in elections to the Riksdag, county council or municipal assembly on request obtain vote envelopes and outer envelopes for proxy votes free of charge.

A party who at either of the last two elections to the European Parliament obtained more than 1 per cent of the votes in the whole of Sweden shall in such an election on request obtain vote envelopes and outer envelopes for proxy votes free of charge.

# Chapter 9. General provisions concerning voting

## *Collection of votes and voting*

**Section 1** All collection of votes shall be public.

**Section 2** To make their vote, voters shall for each kind of election take one ballot paper for the party they wish to vote for. If they wish to make a separate personal vote, they shall make a mark for the candidate whom they prefer to be elected. Thereafter, the voters shall themselves place the ballot paper they chose into a vote envelope for each kind of election.

Voters who as a consequence of a physical disability cannot prepare or hand in their vote in the prescribed manner may appoint someone to assist them when voting.

## *Voting places*

**Section 3** Voting can be arranged in the following voting places:

1. polling stations,
2. Posten Aktiebolag's post offices within Sweden,
3. special voting places within Sweden, and
4. special voting places arranged by foreign missions

**Section 4** The municipality shall ensure that there are suitable premises that can be used as polling stations and which as regards the location and opening hours affords voters good opportunities to vote.

The municipality may use as polling stations premises that are not accessible for voters with physical disability only if the

municipality cannot use premises that are accessible to them. If the municipality intends to use premises that do not satisfy the requirement for accessibility, the municipality should consult the County Administrative Board before it decides on the matter. The municipality shall state why it made the assessment that some other premises could not be used instead.

**Section 5** On the election day, the voters shall vote in the polling station in the electoral district where they are included in the electoral roll. Voters who are living abroad or who for some other reason cannot vote on the election day at their polling stations may vote in another voting place as referred to in Section 3, items 2–4.

Voters may vote by a proxy or rural postman in accordance with what is stated in Chapter 14.

Voters may only vote by post under the Postal Voting in Certain Cases Act (1997:159).

### *Voting cards when voting*

**Section 6** Voters who vote in their polling station should have their voting card with them.

To be able to vote at a post office or a special voting place within Sweden, voters must have their voting card with them and submit it to the vote collector unless the voting card is in some other way available to the vote collector.

If those who desire to vote at a foreign mission do not have any voting card, the vote collector shall complete an address card for them.

### *Election secrecy*

**Section 7** The election secrecy of voters shall be protected. There shall be a suitable number of screened places (voting booths) in

every polling station, where voters may put their ballot papers into vote envelopes without being seen.

### *Equipment in voting places*

**Section 8** There shall be a ballot box for each kind of election that is being held at a polling station.

**Section 9** The electoral roll that has been prepared for the electoral district shall be available at every polling station.

**Section 10** A copy of this Act shall be available at every polling station.

**Section 11** There shall be lists available at a polling station of the parties that have registered party denominations and given notification of candidates for election in the constituency that the electoral district belongs to. At post offices where voting is arranged and at special voting places within Sweden, such lists for the elections shall be available for all constituencies. These lists should also be available at the special voting places that a foreign mission has arranged.

The lists referred to in this paragraph are prepared in the manner stated in Chapter 5, Section 20.

**Section 12** Adjacent to every voting place, a suitable place shall be arranged where ballot papers can be put out. If this is not possible, such a place shall be arranged inside the premises instead. At this place, the voters shall for the election involved have access to

– ballot papers for elections to the Riksdag together with county council and municipal assembly with party and election designations (party ballot papers) for every party that at either of the last two Riksdag elections obtained more than 1 per cent of the votes in the whole of Sweden, subject to the precondition that the party has submitted an application in accordance with Chapter 6, Section 7, third paragraph,

- ballot papers for elections to the European Parliament with party and election designations (party ballot papers) for every party that at either of the last two elections obtained more than 1 per cent of the votes in the whole of Sweden or ballot papers with the names of the candidates (name ballot papers) if the party only participates with one ballot paper, subject to the precondition that the party has made an application in accordance with Chapter 6, Section 7, third paragraph, and
- blank ballot papers.

Electoral officers and vote collectors shall ensure that ballot papers are put out in accordance with the first paragraph.

Those parties that participate in the elections shall also be able to put out their ballot papers at this place. At special voting places that have been arranged by foreign missions, parties may only put out party ballot papers.

**Section 13** At elections the envelopes referred to in Chapter 8 shall be available at every voting place to the extent that they are required for voting in the place.

### *Order at voting places*

**Section 14** Speeches may not be made in voting places or in an area adjacent to the premises. Nor may printed or written appeals to the voters be distributed or put up there. Nor may such appeals be broadcast there.

**Section 15** Electoral officers or vote collectors shall be responsible for order in the voting place. A person who is in a voting place or in an area adjacent to the premises shall comply with the rules that the electoral officer or vote collector issues for voting to be able to be conducted. If there is such disorder that it cannot be quelled, the electoral officer or vote collector is entitled to suspend voting.

**Section 16** If voting in a polling station has been suspended, every ballot box and the electoral roll shall be sealed and stored in a secure manner. When voting continues the electoral officer shall show those who are present that the seals have not been broken.

If voting has been suspended at a post office, at a special voting place within Sweden or at a foreign mission, the envelopes that have been received shall be stored in a secure manner during the suspension.

*Election arrangements and voting shall be documented*

**Section 17** The electoral officers shall keep minutes of the election arrangements in the polling station. Vote collectors at post office, at special voting places in Sweden or at a foreign mission shall continuously keep notes of the voting.

Minutes and notes shall be entered onto standard forms that are determined by the Central Election Authority.

# Chapter 10. Voting in polling stations

## *When may voting proceed in a polling station?*

**Section 1** Polling stations shall, in elections to the Riksdag and in elections to the county council and municipal assembly, be kept open for voting between 8.00 and 20.00 and in elections to the European Parliament between 8.00 and 21.00. If voters in the district nevertheless have sufficiently good opportunities to vote, the election committee may decide that the polling station in a particular electoral district shall be open for voting during a shorter period. Act (1999:129).

**Section 2** When the polling station has been opened for voting, the electoral officer who is the presiding officer shall show those who are present that every ballot box is empty. Voting may thereafter commence.

**Section 3** Voters who are inside the polling station or at a place to which they have been directed adjacent to the premises, when the time for voting expires, shall be given an opportunity to vote.

Voting shall be declared concluded, when the time for voting in the polling stations has expired and those who are present have been given an opportunity to vote.

## *How votes are cast in polling stations*

**Section 4** In polling stations the electoral officers shall give the voters a vote envelope for each kind of election that they wish to participate in and direct them to a vacant voting booth. They

shall there cast their vote and put a ballot paper for each kind of election into a vote envelope without folding the ballot paper.

When voters have arranged their vote envelopes, they shall give the envelopes to the electoral officer.

**Section 5** The electoral officers may request that the voter states his or her full name and his or her date of birth.

**Section 6** Before any vote envelope is accepted, the electoral officer shall check that the voter

- is, according to the electoral roll, entitled to vote in the election that the voter wishes to participate in and
- has not already voted in the election.

The electoral officer shall also check that

- the voter has only arranged one vote envelope for each kind of election,
- there is no unauthorized marking on any envelope, and
- every vote envelope clearly contains a ballot paper.

**Section 7** An electoral officer may not accept a vote envelope that has not satisfied the requirements imposed by Section 6.

If a voter wishes to submit more than one vote envelope for one and the same election, the electoral officer may only accept one of them. At the request of the voter, all envelopes for the election shall be returned.

**Section 8** If the requirements imposed in Sections 6 and 7 are satisfied, the electoral officer shall accept the voter's vote envelope, in the presence of the voter put it in the ballot box for the election the ballot paper applies to and mark in the electoral roll that the voter has voted.

If a polling station is not accessible to a voter with a physical disability, the electoral officer shall, notwithstanding that stated in the first paragraph, receive the voter's vote envelope outside the polling station if this can be done in a secure form.

## *When a vote is delivered by a proxy*

**Section 9** Provisions concerning voting by proxy are contained in Chapter 14.

**Section 10** Before an outer envelope for proxy votes is accepted, the electoral officer shall check that the voter

- is entitled to vote in an election in accordance with the electoral roll,
- has not already voted,
- has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope in the presence of the proxy and the witness and that the voter by reason of a disability, illness or old age cannot come in person to vote at the polling station or any other voting place, and
- has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The electoral officer shall also check that

- the outer envelope is stuck down,
- the proxy and the witness have certified in writing on the outer envelope that the voter him or herself has signed the assurance and that they do not know of anything whereby the contents of the assurance are incorrect,
- the proxy is either the voter's spouse, cohabitee, child, grandchild, spouse's child or cohabitee's child, father, mother or sibling, or is a person who professionally or in a manner similar thereto provides the voter with care of a more permanent nature or in another manner usually assists the voter in personal affairs,
- the witness is not the voter's spouse, child, cohabitee, spouse's child or cohabitee's child,
- the proxy is not a witness
- the proxy has written his or her name, his or her civil registration number and his or her address on the outer envelope, and

- the proxy and witness have attained the age of 18 years.

**Section 11** If the requirements imposed under Section 10 are satisfied, the electoral officer shall open the outer envelope for proxy votes and check that

- the outer envelope contains vote envelopes,
- the voter has only arranged one vote envelope for each kind of election,
- that there are no unauthorized marks on any envelope, and
- each vote envelope clearly contains a ballot paper.

**Section 12** An electoral officer may not accept an outer envelope for proxy votes that do not satisfy the requirements imposed under Sections 10 and 11.

If the voter has arranged more than one vote envelope for any election, the electoral officer may not accept any of them.

**Section 13** If the requirements imposed in Sections 10–12 are satisfied, the electoral officer shall accept the voter’s vote envelope, in the presence of the proxy put it in the ballot box for the election to which the ballot paper relates and mark in the electoral roll that the voter has voted.

**Section 14** A vote envelope that is submitted in an outer envelope for proxy votes but which is not accepted shall before it is handed back to the proxy be put into a special envelope. This envelope shall be stuck down.

**Section 15** An outer envelope for proxy votes that has been opened by the electoral officer in accordance with Section 11 shall be taken care of by the electoral officers and handed over to the election committee. The committee shall store it during the election period.

## *Voter transportation*

**Section 16** The municipality should arrange voter transportation on the election day for voters who live in remote or isolated places and for whom it is expensive or takes a long time to get to the polling station.

# Chapter 11. Voting at post offices

## *At which post offices shall voting be arranged?*

**Section 1** When an election is to be held, the Central Election Authority shall following consultation with Posten Aktiebolag decide the post offices at which voting shall be arranged. In case of elections to the Riksdag and in general elections to county council and municipal assembly, the voting shall always be arranged for at, at least, one post-office in every municipality.

## *During which period may one vote by post?*

**Section 2** At those post offices where voting is arranged, it shall in general elections to the Riksdag, in general elections to county council and municipal assembly and also in elections to the European Parliament be possible to vote from and including the eighteenth day before the election day up to and including the election day. In the case of other elections, it shall be possible to vote at these post offices from and including the tenth day before the election day up to and including the election day.

## *When shall post offices remain open for voting?*

**Section 3** At a post office where voting is arranged before the election day, it shall be possible to vote during the entire period when the post office is open to the public.

On the proposal of Posten Aktiebolag, the Central Election Authority may limit this period for a particular post office.

However, it shall always be possible to vote for at least one hour every day when such a post office is open to the public.

**Section 4** On the election day, post offices where the voting is arranged shall be open for voting for at least one hour before 11.00 and at least one hour after 15.00.

In the case of re-elections to the county council and municipal assembly, the Central Election Authority may decide that no voting shall be arranged at post offices on the election day.

### *Who appoints vote collectors at post offices?*

**Section 5** Posten Aktiebolag shall appoint the vote collectors at post offices.

### *Opportunity to vote after appointed time.*

**Section 6** Voters who are in the post office or at a place to which they have been directed adjacent to the office, when the time for voting has expired, shall be given an opportunity to vote.

### *How voting at post offices is conducted*

**Section 7** Voters shall for each kind of election that they wish to participate in obtain a vote envelope. They shall thereafter behind a vacant voting booth make their vote and place a ballot paper for each kind of election in a vote envelope without folding the ballot paper.

When voters have arranged their vote envelopes, they shall hand over the envelopes and their voting card to the vote collector.

**Section 8** Voters who are not known to the vote collector shall produce identification. If they do not do so, they may not vote.

**Section 9** If several kinds of election are being held at the same time, voters at a post office shall vote at the same time in all the elections that they wish to participate in.

**Section 10** Before any vote envelope is accepted, the vote collector shall check that the voter

- according to information on the voting card is entitled to vote in the election that the voter wishes to participate in, and
- has only arranged one vote envelope for each kind of election.

The vote collector shall also check that

- there is no unauthorized mark on any envelope, and
- every vote envelope clearly contains a ballot paper.

**Section 11** A vote collector may not accept a vote envelope that does not satisfy the requirements imposed under Section 10.

If a voter wishes to hand in more than one vote envelope for one and the same election, the vote collector may only accept one of these. If the voter so requests, all envelopes for the election shall be handed back.

**Section 12** If the requirements imposed under Sections 10 and 11 are satisfied, the vote collector shall accept the voter's vote envelopes, in the presence of the voter put the vote envelopes and the voter's voting card in a window envelope and stick it down.

*When a vote shall be made by a proxy or by a rural postman*

**Section 13** Provisions concerning voting by proxies or rural postmen are contained in Chapter 14.

**Section 14** Before an outer envelope for proxy votes is accepted from a proxy, the vote collector shall check that the voter

- is entitled to vote in an election in accordance with the information on the voting card,

- has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope for proxy votes in the presence of the proxy and the witness and that the voter by reason of a disability, illness or old age cannot come in person to vote at the polling station or any other voting place, and
- has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The vote collector shall also check that

- the outer envelope is stuck down,
- the proxy and the witness have certified in writing on the outer envelope that the voter him or herself has signed the assurance that he or she does not know of anything whereby the contents of the assurance are incorrect,
- the proxy is either the voter’s spouse, cohabitee, child, grandchild, spouse’s child or cohabitee’s child, father, mother or sibling, or is a person who professionally or in a manner similar thereto provides the voter with care of a more permanent nature or in another manner usually assists the voter in personal affairs,
- the witness is not the voter’s spouse, child, cohabitee, spouse’s child or cohabitee’s child,
- the proxy is not a witness
- the proxy has written his or her name, his or her civil registration number and his or her address on the outer envelope, and
- the proxy and witness have attained the age of 18 years.

**Section 15** Before an outer envelope for a proxy vote is accepted from a rural postman, the vote collector shall check that

- the voter is entitled to vote in an election in accordance with the information on the voting card,
- has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope in the presence of the witness, and

- has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The vote collector shall also check that

- the outer envelope is stuck down,
- the witness has certified in writing on the outer envelope that the voter him or herself has signed the assurance,
- the rural postman has certified on the outer envelope that the voter him or herself handed over the outer envelope,
- the witness is not the voter's spouse, child, cohabitee, spouse's child or cohabitee's child,
- the rural postman is not a witness , and
- the witness has attained the age of 18 years.

**Section 16** A proxy or a rural postman who is not known to the vote collector shall produce identification.

**Section 17** A vote collector may not accept an outer envelope for proxy votes, unless the requirements imposed under Sections 14–16 are satisfied.

**Section 18** If the requirements imposed under Sections 14–16 are satisfied, the vote collector shall accept the outer envelope, in the presence of the proxy or rural postman put it in a window envelope together with the voter's voting card and stick the envelope down.

**Section 19** An outer envelope for proxy votes that is not accepted by a vote collector shall be handed back to the proxy or rural postman. An outer envelope that is handed over by a rural postman but which is not accepted by the vote collector shall be handed back to the voter by the rural postman.

### *What the vote collectors shall do with the window envelopes*

**Section 20** The vote collector shall take care of those window envelopes that have been organized and in a special list note the name

of every voter and the election committee or the electoral district that each window envelope shall be sent to. The vote collector shall note on each window envelope the registered mail number included in the list.

**Section 21** The vote collector shall send the window envelopes to the election committee in the municipality where the voter is included in the electoral roll. If the envelopes are sent by post, this shall be arranged as registered mail.

The vote collector at such a special voting place as is established in accordance with Section 2, may instead send the envelope to the electoral officers in the electoral district if the envelopes can be estimated to arrive at the electoral officers before the time for voting at the polling stations has expired.

Before the window envelopes are sent to the polling station they shall be put in special covers that are sealed. The number of window envelopes contained within the cover shall be written on every cover.

## Chapter 12. Voting at special voting places

### *Where can special voting be arranged?*

**Section 1** The Central Election Authority may decide that special voting shall be arranged at hospitals, housing for the aged, prisons or similar care establishments or care institutions.

**Section 2** The Central Election Authority may decide that special voting shall be arranged at places other than those stated in Section 1.

**Section 3** The Central Election Authority may appoint someone else to decide on special voting.

**Section 4** The Central Election Authority shall consult with the election committee before it decides when special voting shall be arranged. Before making decisions in accordance with Section 1, the Authority shall also consult with the care establishment or care institution management about where and when special voting shall be arranged. Prior to making decisions under Section 2, the Authority shall also consult the County Administrative Board concerning where special voting shall be arranged. That stated here shall also apply to those who, in accordance with Section 3, shall decide on special voting.

## *When may special voting be arranged?*

**Section 5** Special voting at hospitals, housing for the aged, prisons or similar care establishments or care institutions may be arranged from and including the seventh day before the election day up to and including the election day.

Special voting in accordance with Section 2 may be arranged only on the election day. Such a special voting place should be open for at least two hours. The opening hours shall continue for at least one hour before 11.00 and at least one hour after 15.00.

## *Who appoints vote collectors at special voting places?*

**Section 6** The Central Election Authority shall appoint the vote collectors for the special voting places. The Authority may assign the election committee or someone else to appoint vote collectors.

## *The opportunity to vote after the appointed time*

**Section 7** Voters who are in a special voting place or at a place to which they have been directed adjacent to the special voting place when the time for polling expires, shall be given an opportunity to vote.

## *How special voting is arranged*

**Section 8** The voters shall produce their voting card to the vote collector, who shall give them a vote envelope for each kind of election that they wish to participate in and direct them to a vacant voting booth. They shall there cast their vote and put a ballot paper for each election in a vote envelope without folding the ballot paper.

When voters have organized their vote envelopes, they shall hand over the envelopes and their voting card to the vote collector.

**Section 9** Voters who are not known to the vote collector shall produce identification. If they do not do so, they may not vote.

**Section 10** If several kinds of elections are being held at the same time, voters at a special voting place shall vote at the same time in all the elections that they wish to participate in.

**Section 11** Before any vote envelope is accepted, the vote collector shall check that the voter

- according to information on the voting card is entitled to vote in the election that the voter wishes to participate in, and
- has only organized one vote envelope for each kind of election.

The vote collector shall also check that

- there is no unauthorized mark on any envelope, and
- every vote envelope clearly contains a ballot paper.

**Section 12** A vote collector may not accept a vote envelope that does not satisfy the requirements imposed under Section 11.

If a voter wishes to hand in more than one vote envelope for one and the same election, the vote collector may only accept one of these. If the voter so requests, all envelopes for the election shall be handed back.

**Section 13** If the requirements imposed under Sections 11 and 12 are satisfied, the vote collector shall accept the voter's vote envelopes, in the presence of the voter put the vote envelopes and the voter's voting card in a window envelope and stick it down.

### *When a vote shall be delivered by a proxy*

**Section 14** Provisions concerning voting by proxies are contained in Chapter 14.

- Section 15** Before an outer envelope for proxy votes is accepted, the vote collector shall check that the voter
- is entitled to vote in an election in accordance with the voting card,
  - has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope in the presence of the proxy and the witness and that the voter by reason of a disability, illness or old age cannot come in person to vote at the polling station or any other voting place, and
  - has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The vote collector shall also check that

- the outer envelope is stuck down,
- the proxy and the witness have certified in writing on the outer envelope that the voter him or herself has signed the assurance and that they do not know of anything whereby the contents of the assurance are incorrect,
- the proxy is either the voter's spouse, cohabitee, child, grandchild, spouse's child or cohabitee's child, father, mother or sibling, or is a person who professionally or in a manner similar thereto provides the voter with care of a more permanent nature or in another manner usually assists the voter in personal affairs,
- the witness is not the voter's spouse, cohabitee, child, spouse's child or cohabitee's child,
- the proxy is not a witness,
- the proxy has written his or her name, his or her civil registration number and his or her address on the outer envelope, and
- the proxy and witness have attained the age of 18 years.

- Section 16** A proxy who is not known to the vote collector shall produce identification.

**Section 17** A vote collector may not accept an outer envelope for proxy votes, unless the requirements imposed under Sections 15 and 16 are satisfied.

**Section 18** If the requirements imposed under Sections 15 and 16 are satisfied, the vote collector shall accept the outer envelope, in the presence of the proxy put it in a window envelope together with the voter's voting card and stick the envelope down.

**Section 19** An outer envelope for proxy votes that is not accepted by a vote collector shall be handed back to the proxy.

### *What the vote collectors shall do with the window envelopes*

**Section 20** The vote collector shall take care of the window envelope that have been organized and in a special list note the name of every voter and the election committee or the electoral district that each window envelope shall be sent to. The vote collector shall note on each window envelope the number stated in the list.

**Section 21** The vote collector shall send the window envelopes to the election committee in the municipality where the voter is included in the electoral roll. If the envelopes are sent by post, this shall be arranged as registered mail.

The vote collector at such a special voting place as is established in accordance with Section 2, may instead send the envelope to the electoral officers in the electoral district if the envelopes can be estimated to arrive at the electoral officers before the time for voting at the polling stations has expired.

Before the window envelopes are sent to the polling station they shall be put in special covers that are sealed. The number of window envelopes contained within the cover shall be written on every cover.

## Chapter 13. Voting at foreign missions

### *Voting can be arranged at foreign missions*

**Section 1** When an election is to be held, the Central Election Authority shall, following consultation with the Ministry for Foreign Affairs, decide the Swedish foreign missions at which voting shall be arranged. In the case of re-elections to the Riksdag and to the county council or municipal assemblies, the Central Election Authority may decide that voting shall not be arranged at foreign missions.

### *During which period may one vote at foreign missions?*

**Section 2** It shall, in general elections to the Riksdag and general elections to county council and municipal assemblies and also in elections to the European Parliament, be possible to vote at a foreign mission no sooner than on the twenty fourth day before the election day. In the case of other elections, it shall be possible to vote no sooner than the twentieth day before the election day.

Voting may continue for as long as the vote envelopes that the mission has received can be with the Central Election Authority no later than 12.00 on the day before the election day.

**Section 3** The head of the foreign mission shall decide when and where voting shall be arranged. Public notice of the decision shall be given.

## *Who is the vote collector at a foreign mission?*

**Section 4** The head of the foreign mission, or the person appointed by the head of the mission, shall be the vote collector.

## *The opportunity to vote after the appointed time*

**Section 5** Voters who are in a voting place that has been arranged by a foreign mission or at a place to which they have been directed adjacent to the voting place when the time for polling expires, shall be given an opportunity to vote.

## *How voting at a foreign mission is arranged*

**Section 6** The vote collector shall give the voters a vote envelope for each kind of election that they wish to participate in and direct them to a vacant voting booth. They shall there cast their vote and put a ballot paper for each election in a vote envelope without folding the ballot paper.

When voters have organized their vote envelopes, they shall hand over the envelopes and their voting card to the vote collector. The vote collector shall, for those voters who do not have any voting card, on the basis of the information provided by the voter complete a special address card.

**Section 7** Voters who are not known to the vote collector shall produce identification. If they do not do so, they may not vote.

**Section 8** If several kinds of election are being held at the same time, voters who vote at a voting place arranged by a foreign mission shall vote at the same time in all the elections that they wish to participate in.

**Section 9** Before any vote envelope is accepted, the vote collector shall check that the voter

- has only organized one vote envelope for each kind of election.

The vote collector shall also check that

- there is no unauthorized mark on any envelope, and
- every vote envelope clearly contains a ballot paper.

**Section 10** A vote collector may not accept a vote envelope that does not satisfy the requirements imposed under Section 9.

If a voter wishes to hand in more than one vote envelope for one and the same election, the vote collector may only accept one of these. If the voter so requests, all envelopes for the election shall be handed back.

**Section 11** If the requirements imposed under Sections 9 and 10 are satisfied, the vote collector shall accept the voter's vote envelopes, in the presence of the voter put the vote envelopes and the voter's voting card or address card in a window envelope and stick it down.

### *When a vote shall be delivered by a proxy*

**Section 12** Provisions concerning voting by proxies are contained in Chapter 14.

**Section 13** Before an outer envelope for proxy votes is accepted, the vote collector shall check that the voter

- has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope in the presence of the proxy and the witness and that the voter by reason of a disability, illness or old age cannot come in person to vote at the polling station or any other voting place, and
- has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The vote collector shall also check that

- the outer envelope is stuck down,
- the proxy and the witness have certified in writing on the

outer envelope that the voter him or herself has signed the assurance and that they do not know of anything whereby the contents of the assurance are incorrect,

- the proxy is either the voter’s spouse, cohabitee, child, grandchild, spouse’s child or cohabitee’s child, father, mother or sibling, or is a person who professionally or in a manner similar thereto provides the voter with care of a more permanent nature or in another manner usually assists the voter in personal affairs,

- the witness is not the voter’s spouse, cohabitee, child, spouse’s child or cohabitee’s child,

- the proxy is not a witness,

- the proxy has written his or her name, his or her civil registration number and his or her address on the outer envelope, and

- the proxy and witness have attained the age of 18 years.

**Section 14** A proxy who is not known to the vote collector shall produce identification.

**Section 15** If the proxy cannot produce the voter’s voting card, the vote collector shall on the basis of a valid identity document for the voter and the information that the proxy can provide about the voter, complete an address card for the voter.

**Section 16** A vote collector may not accept an outer envelope for proxy votes, unless the requirements imposed under Sections 13–15 are satisfied.

**Section 17** If the requirements imposed under Sections 13–15 are satisfied, the vote collector shall accept the outer envelope, in the presence of the proxy put it in a window envelope together with the voter’s voting card or address card and stick the envelope down.

**Section 18** An outer envelope for proxy votes that is not accepted by a vote collector shall be handed back to the proxy.

## *What the vote collectors shall do with the window envelopes*

**Section 19** The vote collector shall take care of those window envelopes that have been organized and in a special list note the name of every voter. The vote collector shall note on each window envelope the number stated in the list.

**Section 20** The vote collector shall send the window envelopes and the list referred to in Section 19 to the Central Election Authority. If the envelopes and list are sent by post, this shall be arranged as registered mail.

## *When votes from abroad are received by the Central Election Authority*

**Section 21** The Central Election Authority shall, as and when the window envelopes arrive from the foreign missions, continuously note how many window envelopes have been received by the Authority and thereafter send the window envelopes to the election committee in the municipality where the voter is included in the electoral roll. If the envelopes are sent by post, they shall be arranged as registered mail.

If a voter is not included in the electoral roll or if it is not possible to establish where the voter is entered in the electoral roll because the civil registration number is unknown or incomplete, the Central Election Authority shall retain the window envelope. Those window envelopes that are retained by the Authority shall be stored in a secure manner until the election has entered in final legal force.

# Chapter 14. Voting by proxy or rural postman

## *The preconditions for voting by proxy or rural postman*

**Section 1** A voter may submit his or her ballot paper by proxy in accordance with Sections 2–6 or by Posten Aktiebolag’s rural postmen in accordance with Sections 7–9. If a vote is submitted by proxy or rural postman it shall be submitted in an outer envelope for proxy votes.

## *Voting by proxy*

**Section 2** Voters who are ill, disabled or old and subsequently cannot come in person to vote at the their polling station or at any other voting place may submit their ballot papers by proxy.

That stated in the first paragraph also applies to a voter who

1. is an inmate of a remand centre, or
2. is an inmate of a penal institution and for reasons of security cannot vote in the same voting place as other inmates at the institution.

## *Who may be a proxy*

**Section 3** A proxy may be the voter’s spouse, cohabitee, child, grandchild, spouse’s child, cohabitee’s child, father, mother or sibling. A proxy may also be a person who professionally or in a manner similar thereto provides the voter with care or in another manner usually assists the voter in personal affairs.

The person who is engaged as a proxy must have attained the age of 18 years.

### *How voting by proxy is conducted*

- Section 4** Voters who wish to vote by proxy shall
- for each kind of election cast their vote and personally place the ballot paper in a vote envelope
  - put the vote envelopes that have been arranged in an outer envelope for proxy votes in the presence of the proxy and the witness
  - stick the outer envelope down,
  - give an assurance on his or her honour that they have arranged the vote envelopes and outer envelope in this manner and that they by reason of disability, illness or old age cannot come in person to vote at the polling station or at any other voting place,
  - certify that the vote envelopes have not been arranged before the time allowed in accordance with Section 11, and
  - write this assurance and this certificate on the outer envelope.

The proxy and the witness shall certify in writing on the outer envelope that the voter him or herself has signed the assurance and that they do not know of anything whereby the contents of the assurance are incorrect.

A witness shall have attained the age of 18 years. The voter's spouse or child or the spouse's child may not be a witness. The same applies to the voter's cohabitee or the cohabitee's child.

- Section 5** The proxy shall write his or her name, his or her civil registration number and his or her address on the outer envelope.

### *Where shall the proxy submit the vote?*

- Section 6** The proxy shall submit the outer envelope for proxy votes in the voter's polling station. The proxy vote may also be

submitted at a post office, a special voting place or a voting place arranged by a foreign mission.

### *Voting by rural postman*

**Section 7** Voters who are served by Posten Aktiebolag's rural postmen may submit their votes by rural postmen, if voting is arranged by the post office to which the rural postman is attached. The Central Election Authority may in connection with elections that do not apply to the whole of Sweden, on the proposal of Posten Aktiebolag, limit the number of routes where the voters may submit their votes by the rural postman.

A rural postman who receives outer envelopes for proxy votes should carry with them

- ballot papers for election to the Riksdag and also to the County and Municipal Assemblies with a party and election designation (party ballot papers) for every party that at either of the last two elections to the Riksdag obtained more than 1 per cent of the votes in the whole of Sweden, subject to the precondition that the party made an application in accordance with Chapter 6, Section 7, third paragraph,
- ballot papers for election to the European Parliament with a party and election designation (party ballot papers) for every party that at either of the last two elections obtained more than 1 per cent of the votes in the whole of Sweden or ballot papers with a candidates' names? (name ballot papers) if the party participates with only one ballot paper, subject to the precondition that the party made an application in accordance with Chapter 6, Section 7, third paragraph, and
- blank ballot papers.

### *How voting by rural postman is arranged*

**Section 8** Voters who wish to vote by a rural postman shall

- for each kind of election cast their vote and personally place a ballot paper in a vote envelope

- put the vote envelopes that have been arranged in an outer envelope for proxy votes in the presence of a witness
- stick the outer envelope down,
- give an assurance on his or her honour that they have arranged the vote envelopes and outer envelope in this manner,
- certify that the vote envelopes have not been arranged before the time allowed in accordance with Section 11, and
- write this assurance and this certificate on the outer envelope.

The witness shall certify in writing on the outer envelope that the voter personally signed the assurance.

A witness shall have attained the age of 18 years. The voter's spouse or child or the spouse's child may not be a witness. The same applies to the voter's cohabitee or the cohabitee's child. Nor may the rural postman be a witness.

**Section 9** The voter shall personally give the outer envelope for proxy votes and his or her voting card to the rural postman. Voters who are not known to the rural postman shall produce identification. If they do not do so, the rural postman may not accept the outer envelope for proxy votes. The rural postman shall certify in writing on the outer envelope that the voter personally submitted the outer envelope.

*Where shall the rural postman deliver the votes?*

**Section 10** The rural postman shall deliver the outer envelope for proxy votes to a vote collector at the post office to which the rural postman is attached. The envelope may be delivered there even if the post office is not open to the public.

*When may the outer envelope for proxy votes be arranged?*

**Section 11** A proxy vote may, in ordinary elections to the Riksdag and also ordinary elections to county council and municipal

assemblies, be arranged no sooner than 24 days before the election day.

In other elections, a proxy vote that is submitted at the polling station, at a special voting place or at a post office, may be arranged no sooner than 10 days before the election day. A proxy vote that is submitted at a foreign mission on such elections may be arranged no sooner than 20 days before the election day.

# Chapter 15. The subsequent treatment of window envelopes received

*What the election committee should do with window envelopes received*

**Section 1** The election committee shall sort into electoral districts those window envelopes that were received before the election day by vote collectors at post offices, special voting places or from the Central Election Authority. The envelopes shall then be placed in a special cover and sealed. A note shall be made on each cover of how many window envelopes the cover contains. The covers should be sent to the respective electoral district in such good time that the window envelopes are available to the electoral officers when voting in the polling station commences.

**Section 2** Window envelopes that are received by the election committee on the election day shall be sent to the electoral officers in the respective electoral district, if the envelopes may be expected to be received by the electoral officers before the period of voting in the polling station has expired.

Before these window envelopes are sent to the polling stations, they shall be placed in a special cover that is sealed. A note shall be made on each cover of how many window envelopes the cover contains.

**Section 3** The election committee shall retain the window envelopes that arrive so late that they cannot be expected to be received by the electoral officers before the period for voting in the polling station has expired. The election committee shall examine

these envelopes at the meeting of the committee for a preliminary counting of votes in accordance with Chapter 17.

**Section 4** Window envelopes held by the election committee shall be stored in a secure manner.

**Section 5** The election committee shall keep minutes in which it continuously notes what the committee does with those window envelopes that are received by the committee. The minutes shall be kept on a standard form determined by the Central Election Authority.

*What the electoral officers shall do with the window envelopes that the election committee has sent*

**Section 6** The electoral officers shall receive the covers containing window envelopes. They shall make a note in the minutes of the electoral district of how many covers they have received from the election committee and from special voting places and also how many window envelopes the covers contain according to what is stated on the covers. The covers may not be opened before the examination referred to in Section 7 has commenced.

**Section 7** The electoral officers shall make a preliminary examination of the covers and window envelopes that have been received at the polling station to the extent that the voting in progress allows. In connection with this preliminary examination, the electoral officers shall do the following.

1. Open the covers, count the window envelopes and note the number in the minutes.
2. Check that the voters
  - are included in the electoral roll for the electoral district,
  - have not submitted more than one window envelope, and
  - have not voted at the polling station during the election day.

The electoral officer shall also check that

- the window envelopes have not been opened after they have been stuck down.

3. Open the window envelopes that satisfy the requirements under Item 2, remove the contents and check that

- the window envelope contains vote envelopes,
- the voter has only arranged one vote envelope for each kind of election,
- there are no unauthorized marks on any vote envelope, and
- each vote envelope obviously contains a ballot paper.

**Section 8** If a window envelope that satisfies the requirements under Section 7, Item 2, contains an outer envelope for proxy votes in accordance with Chapter 14, Sections 2–6 (Proxy) the electoral officer in the continued preliminary examination shall check that the voter

- has only organized one outer envelope for proxy votes,
- has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope in the presence of the proxy and the witness and that the voter, by reason of disability, illness or old age cannot come in person to vote at the polling station or at any other voting place, and
- has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The electoral officer shall also check that

- the outer envelope for proxy votes is stuck down,
- the proxy and the witness have certified in writing on the outer envelope that the voter him or herself has signed the assurance and that they do not know of anything whereby the contents of the assurance are incorrect,
- the proxy is not a witness, and
- the proxy has written his or her name, his or her civil registration number, and his or her address on the outer envelope for proxy votes.

**Section 9** If a window envelope that satisfies the requirements under

Section 7, Item 2, contains an outer envelope for proxy votes in accordance with Chapter 14, Sections 7–9 (rural postman) the electoral officer in the continued preliminary examination shall check that the voter

- has only organized one outer envelope for proxy votes,
- has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope in the presence of the witness, and
- has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The electoral officer shall also check that

- the outer envelope for proxy votes is stuck down,
- the witness has certified in writing on the outer envelope that the voter him or herself has signed the assurance,
- the rural postman has certified on the outer envelope for proxy votes that the voter him or herself handed over the outer envelope, and
- the rural postman is not a witness.

**Section 10** If the requirements imposed under Sections 8 and 9 are satisfied, the electoral officer shall open the outer envelope for proxy votes and check that

- the outer envelope contains vote envelopes,
- the voter has only arranged one vote envelope for each kind of election,
- there are no unauthorized marks on any vote envelope, and
- every vote envelope obviously contains a ballot paper.

**Section 11** When making the examination under Sections 7–10, the electoral officers shall also

- mark in the electoral roll the voters whose vote envelopes satisfy the requirements of Sections 7–10,
- replace the vote envelopes in their window envelopes together with the voter’s voting card or address card, and
- replace the vote envelopes that were received in outer

envelopes for proxy votes in their outer envelopes and replace these envelopes in their window envelope.

**Section 12** After voting has been concluded, the electoral officers shall do the following with the window envelopes, outer envelopes for proxy votes and vote envelopes respectively that have been examined in accordance with Sections 7–10. They shall

- place the vote envelopes that satisfy the requirements under Sections 7–10 in the ballot box for the election to which the ballot paper relates,
- place those window envelopes that did not satisfy the requirements of Section 7, Item 2, in a special cover,
- place opened window envelopes that contain outer envelopes for proxy votes or vote envelopes that do not satisfy the requirements of Section 7, Item 3 or Sections 8–10 in a special cover,
- note on each cover the name of the electoral district and how many window envelopes the cover contains, and
- seal each cover.

**Section 13** Outer envelopes for proxy votes that the electoral officers have opened in accordance with Section 10 shall be taken care of by them and submitted to the election committee. The committee shall store them during the period of the election.

**Section 14** If a cover that contains window envelopes comes from an election committee to the electoral officers after voting in the electoral district was concluded, the cover shall not be opened but returned to the election committee after the preliminary counting of votes has been concluded in the polling station. A note shall be made in the minutes that the cover has been returned.

## *Change of vote*

**Sections 15** It should be possible for voters to vote in their polling station even if they have voted at another voting place (change of vote).

If a voter changes his or her vote it shall be noted in the minutes.

**Section 16** If a voter wishes to change his or vote, the window envelope that was received from the voter shall be produced. If the window envelope is not returned to the voter it shall be put in a special envelope that is stuck down and is endorsed with a note about the contents. The voter may not cast his or her vote in the polling station until the window envelope is returned or put in a special envelope. It shall be noted in the minutes what the electoral officer has done.

# Chapter 16. Preliminary counting of votes at polling stations

**Section 1** Immediately after the voting in the polling station is declared concluded and all vote envelopes that are to be placed in the ballot box have been put into it, the electoral officers shall count the votes. This counting of votes is public and shall be conducted without interruption. The result of the counting of votes is preliminary.

**Section 2** If an election to the Riksdag has been held at the same time as another election, the votes for the election to the Riksdag shall be counted first. The counting for each kind of election shall proceed as follows.

1. The ballot box shall be emptied and the vote envelopes counted. The number of voters who according to the electoral roll have participated in the election shall be counted. The number of envelopes and the number of those voting shall be noted in the minutes. If the information about the number of vote envelopes does not correspond with the information of the number of voters, the probable cause for the difference shall be noted in the minutes.
2. The ballot papers shall be removed from the vote envelopes. If a vote envelope contains more than one ballot paper, the ballot papers shall be put back into the envelope.
3. If a ballot paper is blank because it does not have a party denomination, has more than one party denomination or is marked so that it can be deemed to be invalid in accordance with Chapter 18, Section 10, the ballot paper shall be put back into its vote envelope.
4. Ballot papers that have been put back into their vote envelopes in accordance with Item 2 or 3 shall be put into a

special cover. The electoral officers shall note on each cover how many envelopes the cover contains.

5. Those ballot papers that the electoral officers have approved shall be sorted into groups according to party denomination. The number of ballot papers for each group shall be counted and the number noted in the minutes. The ballot papers for each party shall then be placed in special covers. The electoral officers shall note on each cover

- which election the ballot papers relate to,
- the number of ballot papers,
- to which party the ballot papers relate, and
- information about the electoral district.

6. The covers according to Items 4 and 5 shall be sealed.

**Section 3** The minutes shall be signed by the presiding officer and two of the attending electoral officers. The preliminary counting of votes in the polling station is thereby concluded.

**Section 4** Immediately after the conclusion of the preliminary counting of the votes, the electoral officers shall hand over to the election committee

- the electoral roll,
- the minutes,
- the outer envelopes for proxy votes referred to in Chapter 10, Section 15 and Chapter 15, Section 13, and
- the covers referred to in Section 2 as well as Chapter 15, Sections 12 and 14.

The election committee shall ensure that all these documents are received by the committee. If any document is missing, its production shall be requested.

**Section 5** The election committee shall retain the electoral rolls, the outer envelopes for proxy votes referred to in Section 4 and the covers referred to in Chapter 15, Sections 12 and 14. The committee shall immediately hand over to the County Administrative Board

- the minutes, and
- the covers referred to in Section 2.

# Chapter 17. Meeting of election committee for preliminary counting of votes

*The election committee's preparations for counting of votes.*

**Section 1** As soon as possible, although no sooner than the Wednesday following the election day, the election committee shall examine and count the votes that have not been counted in the polling stations. This meeting is public. The result of the counting of votes by the election committee is preliminary.

At the meeting the committee shall examine

- window envelopes that have been received by the committee and kept there,
- window envelopes that the electoral officers have returned to the committee in accordance with Chapter 15, Section 14,
- window envelopes that have been received by the committee before any ballot box was emptied,
- window envelopes that the electoral officers have placed in special covers in accordance with Chapter 15, Section 12 and
- cover envelopes for postal votes in accordance with the Postal Voting in Certain Cases Act (1997:159).

**Section 2** A ballot box shall be used for each kind of election and constituency.

**Section 3** The meeting of the election committee shall commence with the election committee checking the window envelopes referred to in Section 1. In connection with this check the election committee shall do the following.

1. Open the covers, count the window envelopes and note the number in the minutes.
2. Check that the voters:
  - are entitled to vote in the municipality,
  - have not submitted more than one window envelope, and
  - have not voted in polling stations during the election day.

The election committee shall also check that

- the window envelopes have not been opened after they have been stuck down.

3. Open the window envelopes that satisfy the requirements under Item 2, remove the contents and check that
  - the window envelope contains vote envelopes,
  - the voter has only arranged one vote envelope for each kind of election,
  - there are no unauthorized marks on any vote envelope, and
  - every vote envelope obviously contains a ballot paper.

**Section 4** If a window envelope that satisfies the requirements under Section 3, Item 2, contains an outer envelope for proxy votes in accordance with Chapter 14, Sections 2–6 (proxy) the election committee shall in the continued examination check that the voter

- has only arranged one outer envelope for proxy votes,
- has given a written assurance on the outer envelope for proxy votes on his or her honour that the voter has him or herself arranged the vote envelope and put it in the outer envelope in the presence of the proxy and the witness and that the voter by reason of disability, illness or old age cannot come in person to vote at the polling station or at any other voting place, and
- has certified on the outer envelope that the vote envelope has not been arranged before the time allowed as stated in Chapter 14, Section 11.

The election committee shall also check that:

- the outer envelope is stuck down,
- the proxy and the witness have certified in writing on the outer envelope that the voter him or herself has signed the

assurance and that they do not know of anything whereby the contents of the assurance are incorrect,

- the proxy is not a witness, and
- the proxy has written his or her name, his or her civil registration number, and his or her address on the outer envelope.

**Section 5** If a window envelope that satisfies the requirements under Section 3, Item 2 contains an outer envelope for proxy votes in accordance with Chapter 14, Sections 7–9 (rural postman), the election committee in the continued examination shall check that the voter

- has only arranged one outer envelope for proxy votes,
- has given a written assurance on the outer envelope on his or her honour that the voter has him or herself arranged the vote envelopes and put them in the outer envelope in the presence of the witness, and
- has certified on the outer envelope that the vote envelopes have not been arranged before the time allowed as stated in Chapter 14, Section 11.

The election committee shall also check that:

- the outer envelope is stuck down,
- the witness has certified in writing on the outer envelope that the voter him or herself has signed the assurance,
- the rural postman has certified on the outer envelope that the voter him or herself handed over the outer envelope, and
- the rural postman is not a witness.

**Section 6** If the requirements imposed under Sections 4 and 5 are fulfilled, the election committee shall open the outer envelope for proxy votes and check that

- the window envelope contains vote envelopes,
- the voter has only arranged one vote envelope for each kind of election,
- there are no unauthorized marks on any vote envelope, and
- every vote envelope obviously contains a ballot paper.

- Section 7** When making the examination under Sections 3–6, the election committee shall
- place the vote envelopes that satisfy the requirements of Sections 3–6 in the ballot box for the election to which the ballot paper relates,
  - mark in the electoral roll for the election to which the ballot paper relates that the voter has voted,
  - place the window envelopes that do not satisfy the requirements of Section 3, Item 2 in a special cover,
  - replace the outer envelopes for proxy votes or vote envelopes that do not satisfy the requirements imposed by Section 3, Item 3 and in Sections 4–6 in their window envelopes together with the voter’s voting card or address card after the vote envelopes that have been received in outer envelopes for proxy votes have been placed in their outer envelopes and place the window envelopes in a special cover,
  - note on each cover the name of the electoral district and how many window envelopes the cover contains, and
  - seal each cover.

**Section 8** When the election committee has examined the window envelopes, the board shall examine the cover envelopes for postal votes in accordance with the Postal Voting in Certain Cases Act (1997:159).

### *The preliminary counting of votes*

**Section 9** When all vote envelopes that are to be placed in the ballot box have been put into it, the election committee shall count the votes. If an election to the Riksdag has been held at the same time as another election, the votes for the election to the Riksdag shall be counted first. The counting for each kind of election shall proceed as follows.

1. The ballot box shall be emptied and the vote envelopes counted. The number of voters who according to the electoral roll have participated in the election shall be counted. The number of envelopes and the number of those

voting shall be noted in the minutes. If the information about the number of vote envelopes does not correspond with the information about the number of voters, the probable cause for the difference shall be noted in the minutes.

2. The ballot papers shall be removed from the vote envelopes. If a vote envelope contains more than one ballot paper, the ballot papers shall be put back into the envelope.

3. If a ballot paper is blank because it does not have a party denomination, has more than one party denomination or is marked so that it can be deemed to be invalid in accordance with Chapter 18, Section 10, the ballot paper shall be put back into its vote envelope.

4. Ballot papers that have been put back into their vote envelopes in accordance with Item 2 or 3 shall be put into a special cover. The election committee shall note on each cover how many envelopes the cover contains.

5. Those ballot papers that the election committee have approved shall be sorted into groups according to party denomination. The number of ballot papers for each group shall be counted and the number noted in the minutes. The ballot papers for each party shall then be placed in a special cover. The election committee shall note on each cover

- which election the ballot papers relate to,
- the number of ballot papers,
- to which party the ballot papers relate, and
- information about the municipality and the electoral district.

6. The covers should be sealed according to Items 4 and 5.

**Section 10** If window envelopes are received by the election committee during the counting of votes after any of the ballot boxes has been emptied, the envelopes shall be kept separate from other envelopes. Such envelopes shall be placed in one or several special covers. The election committee shall note on the cover what it contains. The cover shall be sealed.

**Section 11** Outer envelopes for proxy votes that have been opened by the election committee upon examination under Section 6

shall be taken care of by the committee. The committee shall store these outer envelopes and outer envelopes referred to in Chapter 10, Section 15 and Chapter 15, Section 13 during the period of the election.

**Section 12** The election committee shall keep minutes of its counting of votes. The minutes shall be kept on a standard form determined by the Central Election Authority.

**Section 13** When the meeting for counting of votes has been concluded the election committee shall immediately hand over to the County Administrative Board

- the minutes of the committee, and
- the covers that the committee has organized.

If the County Administrative Board so requests, the committee shall also hand over the electoral rolls.

# Chapter 18. Final counting and distribution of seats

**Section 1** The County Administrative Board shall conduct the final counting of the election results.

**Section 2** The Central Election Authority shall, on the basis of the result of the final counting, distribute the seats in the Riksdag and European Parliament and also appoint members of the Riksdag, representatives for the European Parliament and substitutes.

The County Administrative Board shall support the Central Election Authority to the extent necessary for it to be able to appoint members, representatives and substitutes.

As regards elections to the county council and municipal assemblies, the County Administrative Board shall distribute the seats between the parties and appoint members and substitutes for every constituency.

**Section 3** The County Administrative Board shall in the final counting consider whether the ballot papers are valid in accordance with Sections 9 and 10 and whether any name on a ballot paper shall be considered to be non-existent in accordance with Section 11 and also notify those decisions that this review may lead to. The County Administrative Board shall also give notice of those decisions that are necessary by reason of the information in the minutes kept of the voting.

*Further provisions concerning the procedure at the County Administrative Board.*

**Section 4** The County Administrative Board's counting shall be public and shall commence as soon as possible. If an election to the Riksdag has been held at the same time as another election, the votes for the election to the Riksdag shall be counted first.

**Section 5** If the documents from the election committee are incomplete or inadequate in any way, the County Administrative Board shall request that they are supplemented. If necessary, the County Administrative Board shall also request information about why the documents are in an inadequate condition.

**Section 6** The County Administrative Board shall give public notice of the time and place for the counting. The County Administrative Board shall state in the public notice the order in which the various elections will be counted. The public notice shall be displayed on the municipal public notice boards and included in a local newspaper within the county no later than the day preceding the commencement of the counting.

**Section 7** The final counting shall be implemented without delay. If the counting is discontinued, ballot papers and other election documents shall be stored in a secure manner. Before the counting commences again, the County Administrative Board shall check that no unauthorized measure has been taken with the election documents.

**Section 8** The County Administrative Board shall keep minutes of the final counting. Standard form documents for minutes shall be determined by the Central Election Authority.

## *Grounds for invalidity*

**Section 9** If the ballot papers that the voters have submitted have not been stored in a correct manner, they shall be declared invalid, if it may be assumed that an unauthorized measure has been taken with them.

**Section 10** A ballot paper is invalid if it

1. does not have a party denomination or has more than one party denomination or,
2. has marks that have obviously been made intentionally.

If there is more than one ballot paper in a vote envelope, these 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 differ in such a case as regards the names of the candidates or the personal votes, the names on the ballot papers shall be deemed non-existent.

## *Non-existent names*

**Section 11** A name on a ballot paper shall be deemed non-existent if

1. the candidate is not eligible for election or it is not clearly indicated who is referred to,
2. the name is written on a ballot paper that applies to a party that registered a party denomination and notified the candidates in accordance with Chapter 5, Section 13 or
3. the name is not notified and is included on a ballot paper for a party that registered a party denomination and notified the candidates in accordance with Chapter 5, Section 13.

The names on a ballot paper shall also be considered non-existent if

1. the ballot paper includes names but is not endorsed with a marked space for a personal vote,
2. more than one personal vote was made or it is not indicated to whom the personal vote refers,
3. marking for the personal vote may be deemed to have been done mechanically, or

4. the order between the names is not clearly indicated.

Names shall not be considered non-existent on the ground that they have been deleted from a ballot paper that includes names.

### *Conclusion of the election*

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

**Section 12** When the County Administrative Board has finally completed the count so that the members or representatives and substitutes can be appointed, the final counting is concluded by the minutes being submitted for checking.

**Section 13** The ballot papers shall be placed in special covers, with the approved and the invalid kept separate. The invalid ballot papers and ballot papers on which deletions, additions or personal votes are made shall be stored during the period of the election. Other ballot papers shall be stored until the election has entered into final legal force.

Covers with ballot papers may be opened if

- a new or continued counting is to be conducted, or
- it is otherwise necessary for the electoral authorities to evaluate the election.

**Section 14** When the Central Election Authority has distributed the seats between the parties and appointed members or representatives and substitutes, the results of the election shall be pronounced by a public notice in the Post- och Inrikes Tidningar (Official Gazette). The election is thereby concluded.

Public notice shall also be given in Post- och Inrikes Tidningar when new members and substitutes are appointed in accordance with Sections 58–60 or new representatives and substitutes are appointed in accordance with Sections 67–69.

## Elections to county council and municipal assemblies

**Section 15** When the County Administrative Board has distributed the seats between the parties and appointed members and substitutes, public notice of the election results shall be given by the minutes being submitted for checking. The election is thereby concluded.

The same also applies when new members and substitutes are appointed in accordance with Sections 61–66.

**Section 16** The ballot papers shall be placed in special covers, with the approved and the invalid kept separate. The invalid ballot papers and ballot papers on which deletions, additions or personal votes are made shall be stored during the period of the election. Other ballot papers shall be stored until the election has entered into final legal force.

Covers with ballot papers may be opened if

- a new or continued counting is to be conducted, or
- it is otherwise necessary for the electoral authorities to evaluate the election.

**Section 17** If less than half of the prescribed number of members have been appointed at the election, the County Administrative Board shall give notice of this to the Election Review Board.

*How the distribution of seats between the parties is made.*

## Elections to the Riksdag

**Section 18** The Central Election Authority shall distribute the seats in the Riksdag on the basis of the counting by the County Administrative Boards as finally registered in the special standard form in accordance with Section 8 and applying Chapter 3, Articles 7–8 of the Instrument of Government.

Only parties that have received at least 4 per cent of the votes throughout Sweden may participate in the distribution of the seats. However, a party that has received fewer votes shall participate in the distribution of permanent constituency

seats in a constituency, where the party has received at least 12 per cent of the votes.

**Section 19** The permanent constituency seats shall, in accordance with Chapter 3, Article 8, first paragraph of the Instrument of Government be distributed for every constituency proportionately between those parties that may participate in the distribution. The distribution is made by a comparative number computed for the parties on the basis of the election result in the constituency. The party that in every computation obtains the greatest comparative number is allocated a seat.

In the computation, the adjusted odd-number method in accordance with Chapter 20, Section 1 shall be applied.

**Section 20** In order to determine how many seats in accordance with Chapter 3, Section 8, second paragraph of the Instrument of Government a party should have in total in the Riksdag in order to be proportionately represented throughout Sweden, the adjusted odd-number method shall be applied for the whole of Sweden as one constituency. Every party shall be allocated so many adjustment seats as are necessary for the party to be able to have representation that corresponds with its proportion of the total votes in Sweden.

In the computation, the adjusted odd-number method in accordance with Chapter 20, Section 1 shall be applied.

**Section 21** If a party on the distribution of the permanent constituency seats has obtained more votes than are necessary in order for it to be proportionately represented in the Riksdag, the party and the seats that it has obtained shall be ignored when distributing the adjustment seats. This also applies for a party and the seats that the party obtained, if it obtained less than 4 per cent of the votes in Sweden.

Distribution of adjustment seats to constituencies shall be conducted in accordance with Chapter 20, Section 2.

**Section 22** If a party in any constituency obtained more seats than correspond to the number of names on the party's ballot papers, the excess seats shall, applying Chapter 20, Section 2, be transferred to another constituency where the party participates in the distribution of permanent constituency seats. If the seat cannot be allocated in this way, it shall be unoccupied during the election period.

**Section 23** If the numbers are the same for several parties or constituencies on doing the computations under Sections 19–22, drawing of lots shall determine which party or which constituency shall obtain the seat.

## **Election to county council assemblies**

**Section 24** The seats in the county council assemblies shall be distributed between the parties. Only parties that have obtained at least 3 per cent of the votes in the entire county council area may participate in the distribution of the seats.

**Section 25** The permanent constituency seats in the county council assemblies shall for each constituency be distributed proportionately between the parties on the basis of the election results in the constituency. The distribution is conducted by a comparative number computed for the parties. The party that on doing each computation obtains the largest comparative number shall be allocated a seat.

In the computation, the adjusted odd-number method in accordance with Chapter 20, Section 1 shall be applied.

**Section 26** Adjustment seats shall be distributed between the parties so that the distribution of all seats in the county council assembly is proportional to the number of votes for the party in the entire county council area. In order to determine how many seats in the county council assembly a party shall have in total in order to be proportionally represented in the county

council, the adjusted odd-number method shall be applied to the entire county council area as one constituency. Each party shall be allocated so many adjustment seats as are necessary for the party to obtain representation that corresponds to its proportion of all votes in the county council area.

In the computation, the adjusted odd-number method in accordance with Chapter 20, Section 1 shall be applied.

**Section 27** If a party upon the distribution of the permanent constituency seats has obtained more seats than are necessary in order for it to be proportionately represented in accordance with Section 26, the party and the seats it has obtained shall be ignored when distributing the adjustment seats.

The distribution of the adjustment seats in constituencies shall be conducted in accordance with Chapter 20, Section 2.

**Section 28** If a party in any constituency has obtained more seats than correspond to the number of names on the party's ballot papers, the excess seats shall, applying Chapter 20, Section 2, be transferred to another constituency. If the seat cannot be allocated in this way, it shall be unoccupied during the election period.

**Section 29** If there are equal numbers for several parties or constituencies on doing the computations under Sections 25–28, drawing of lots shall determine which party or which constituency shall obtain the seat.

## **Elections to municipal assemblies**

**Section 30** The seats in municipal assemblies shall for each constituency be distributed proportionately between the parties on the basis of the election result in the constituency. The distribution is conducted by a comparative number being computed for the parties. The party that on doing each

computation obtains the largest comparative number shall be allocated a seat.

In the computation, the adjusted odd-number method in accordance with Chapter 20, Section 1 shall be applied.

**Section 31** If a party has obtained more seats than correspond to the number of names on the party's ballot papers, an excess seat shall remain unoccupied during the election period. If the municipality is divided into constituencies, the seat shall, however, applying Chapter 20, Section 2, be transferred to another constituency.

**Section 32** If the numbers are the same for several parties or constituencies on doing the computations in accordance with Sections 30 and 31, drawing of lots shall determine which party or which constituency shall obtain the seat.

## **Elections to the European Parliament**

**Section 33** The Central Election Authority shall distribute the seats between the parties on the basis of the counting by County Administrative Boards as finally registered in the special standard form in accordance with Section 8.

**Section 34** Only parties that have obtained at least 4 per cent of the votes in the whole of Sweden may participate in the distribution of the seats.

**Section 35** The seats shall be distributed proportionally between those parties that may participate in the distribution. The distribution is conducted by a comparative number being computed for the parties on the basis of the election results throughout Sweden. The party that on doing each computation obtains the largest comparative number is allocated a seat.

In the computation, the adjusted odd-number method in accordance with Chapter 20, Section 1 shall be applied.

**Section 36** If the numbers are the same for several parties on doing the computations under Sections 34 and 35, the drawing of lots shall determine which party shall obtain the seat.

### *How members and representatives are appointed*

#### **Elections to the Riksdag**

**Section 37** For every seat that a party has obtained in the Riksdag, a member shall be appointed. These provisions are contained in Chapter 3, Article 9 of the Instrument of Government.

The Central Election Authority shall appoint the members on the basis of the counting by the County Administrative Board as finally registered in the special standard form in accordance with Section 8.

**Section 38** At first, the order between the candidates is decided on the basis of the size of every candidate's number of personal votes in accordance with Chapter 20, Section 3. The number of personal votes shall only be determined for a candidate who has obtained personal votes over a number comprising of at least 8 per cent of the party's number of votes in the constituency.

If several candidates obtain the same number of personal votes, drawing of lots shall determine who shall have priority.

**Section 39** If a sufficiently large number of members cannot be appointed in accordance with Section 38, the order of the candidate names within each party shall be determined by a comparative number being computed for them, applying the whole-number method in accordance with Chapter 20, Section 4.

If several candidates obtain the same comparative number, drawing of lots shall determine who shall have priority.

## **Discontinuance of double election in the election to the Riksdag**

**Section 40** 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 proportion to the number of votes for the party. If the candidates have not taken 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 person who would come first in the order in accordance with Section 52. In this computation, a person who has already been elected as a member shall be ignored.

If the first paragraph results in two or more seats not being occupied, these shall be filled one at a time according to the number of personal votes in proportion to the number of votes for the party. If not all seats can be occupied thereby, they are filled in accordance with the comparative numbers under Section 39.

## **Elections to county council assemblies**

**Section 41** For every seat that a party has obtained in the county council assembly, the County Administrative Board shall appoint a member on the basis of the order of the candidates.

At first, the order of the candidates shall be decided on the basis of each candidate's number of personal votes in accordance with Chapter 20, Section 3. The number of personal votes shall only be determined for a candidate who has obtained personal votes amounting to at least 5 per cent of the party's number of votes in the constituency, although at least 100 votes.

If several candidates obtain the same number of personal votes, drawing of lots shall determine who shall have priority.

**Section 42** If a sufficient number of members cannot be appointed in accordance with Section 41, the County Administrative

Board shall decide the order of the candidates' names within each party by computing a comparative number for them applying the whole-number method in accordance with Chapter 20, Section 4.

If several candidates obtain the same comparative number, drawing of lots shall determine who shall have priority.

## **Discontinuance of double election in elections to county council assemblies**

**Section 43** 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 proportion to the number of votes for the party. If the candidates have not taken 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 person who would come first in the order, in accordance with Section 54. In this computation, a person who has already been elected as a member shall be ignored.

If the first paragraph results in two or more seats not being occupied, these shall be filled one at a time according to the number of personal votes in proportion to the number of votes for the party. If not all seats can be occupied thereby, they are filled in accordance with the comparative numbers under Section 42.

## **Elections to municipal assemblies**

**Section 44** For every seat that a party has obtained in the municipal assembly, the County Administrative Board shall appoint a member on the basis of the order of the candidates.

At first, the order of the candidates shall be decided on the basis of each candidate's number of personal votes in accordance with Chapter 20, Section 3. The number of

personal votes shall only be determined for a candidate who has obtained personal votes amounting in number to at least 5 per cent of the party's number of votes in the constituency, although at least 50 votes.

If several candidates obtain the same number of personal votes, drawing of lots shall determine who shall have priority.

**Section 45** If a sufficient number of members cannot be appointed in accordance with Section 44, the County Administrative Board shall decide the order of the candidates' names within each party by computing a comparative number for them applying the whole-number method in accordance with Chapter 20, Section 4.

If several candidates obtain the same comparative number, drawing of lots shall determine who shall have priority.

## **Discontinuance of double election in elections to municipal assemblies**

**Section 46** 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 proportion to the number of votes for the party. If the candidates have not taken 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 person who would come first in the order in accordance with Chapter 20, Section 5. In this computation, a person who has already been elected as a member shall be ignored.

If the first paragraph results in two or more seats not being occupied, these shall be filled one at a time according to the number of personal votes in proportion to the number of votes for the party. If not all seats can be occupied thereby, they are filled in accordance with the comparative numbers under Section 45.

## **Elections to the European Parliament**

**Section 47** For every seat that a party has obtained in the European Parliament, a representative shall be appointed.

The Central Election Authority shall appoint the representatives on the basis of the counting by County Administrative Board as finally registered in the special standard in accordance with Section 8.

**Section 48** At first, the order of the candidates shall be decided on the basis of each candidate's number of personal votes in accordance with Chapter 20, Section 3. The number of personal votes is only determined for a candidate who has obtained personal votes amounting to at least 5 per cent of the party's number of votes in Sweden.

If several candidates obtain the same number of personal votes, drawing of lots shall determine who shall have priority.

**Section 49** If a sufficient number of representatives cannot be appointed in accordance with Section 48, the order of the candidates' names within each party shall be determined by a comparative number being computed for those applying the whole-number method in accordance with Chapter 20, Section 4.

If several candidates obtain the same comparative number, drawing of lots shall determine who shall have priority.

## **Discontinuance of double election in elections to the European Parliament**

**Section 50** Candidates who have obtained seats for more than one party shall occupy the seat for which their number of personal votes is greatest in proportion to the number of votes for the party. If the candidates have not taken 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 person who would come first in the order in accordance with

Section 57. In this computation, a person who has already been elected as a member shall be ignored.

If the first paragraph results in two or more seats not being occupied, these shall be filled one at a time according to the number of personal votes in relation to the number of votes for the party. If not all seats can be occupied thereby, they are filled in accordance with the comparative numbers under Section 49.

### *The appointment of substitutes*

#### **The Riksdag election**

**Section 51** The Central Election Authority shall appoint substitutes for the members of the Riksdag on the basis of the order in accordance with Section 52. For each member a similar number of substitutes is appointed as the member's party obtained seats in the constituency. However, three substitutes shall always be appointed for every member. When substitutes are appointed, a person who has been elected as a member shall be ignored.

If there is no person who can be appointed as a substitute in accordance with the first paragraph, the rules in Chapter 20, Section 6 shall be applied. For every member there may only be one substitute according to this paragraph. If a substitute cannot be appointed in this way, no substitute is appointed.

**Section 52** If necessary, the Central Election Authority shall, in order to appoint substitutes for those candidates who have been arranged in accordance with Sections 38 and 39, determine a special order of the candidates on the basis of the party's ballot papers. This should be done in accordance with Chapter 20, Section 5.

If several candidates obtain the same number of votes, drawing of lots shall determine who shall have priority.

## **Elections to county council assemblies**

**Section 53** The County Administrative Board shall appoint substitutes for the members of the county council assemblies on the basis of the order in accordance with Section 54. The County Administrative Board shall for every member appoint as many substitutes as the member's party obtained seats in the constituency. However, three substitutes shall always be appointed for each member. When substitutes are appointed, a person who has been elected as a member shall be ignored. If a substitute cannot be appointed in this way, no substitute is appointed.

**Section 54** If necessary, the County Administrative Board in order to appoint substitutes for those candidates that have been arranged in accordance with Sections 41 and 42 shall determine a special order of the candidates on the ballot papers of the party. This should be done in accordance with Chapter 20, Section 5.

If several candidates obtain the same number of votes, drawing of lots shall determine who shall have priority.

## **Elections to municipal assemblies**

**Section 55** The municipal assembly decides how many substitutes there shall be for the members of the municipal assembly. The numbers comprise a specific proportion, although at most a half of the number of places that every party obtains in the municipality. These provisions are contained in Chapter 5, Section 4, second paragraph, of the Local Government Act (1991:900).

The County Administrative Board shall appoint substitutes to the number and in the manner stated in Chapter 20, Section 7. If the proportion of substitutes for the seats that a party obtained comprises a fraction, this shall be rounded up to the nearest whole number. If at least two substitutes will not be appointed for a party, Chapter 20, Section 8 shall be

applied. If a substitute for a particular member is not appointed in this way, no substitute is appointed for that member.

## **Elections to the European Parliament**

**Section 56** The Central Election Authority shall appoint substitutes for the representatives in the European Parliament on the basis of the order in accordance with Section 57. For every representative, an equal number of substitutes as the representative's party obtained seats in the election shall be appointed. However, there shall always be appointed at least three substitutes for every representative. When a substitute is appointed, a person who has been elected as representative shall be ignored.

If there is no person who can be appointed as a substitute in accordance with the first paragraph, the rules of Chapter 20, Section 6 shall be applied. For every representative, there may only be one substitute according to this paragraph. If a substitute cannot be appointed in this manner, no substitute is appointed.

**Section 57** If necessary, the Central Election Authority shall, in order to appoint substitutes for those candidates who have been arranged in accordance with Sections 48–50 determine on a special order of the candidates on the basis of the party's ballot papers. This should be done in accordance with Chapter 20, Section 5.

If several candidates obtain the same number of votes, drawing of lots shall determine who shall have priority.

*When members, representatives and substitutes resign during the election period*

**Elections to the Riksdag**

**Section 58** If a member of the Riksdag resigns during the election period, the Central Election Authority shall on the application of the Speaker of the Riksdag appoint a new member. The person whose turn it is to enter as a member in accordance with the order of substitutes in accordance with Section 52 shall be appointed as member. If a new member cannot be appointed, the seat shall be unoccupied during the remainder of the election period.

**Section 59** If a new member has previously been a substitute in accordance with Section 51, second paragraph, for the resigning member, a new substitute shall be appointed in accordance with Section 51. If the seat has been moved from one constituency to another, it shall be deemed that the seat was allocated at the election to the last-mentioned constituency.

Substitutes for another member who was appointed in place of a member who resigned are the other candidates who would have been substitutes for the resigned member.

**Section 60** The Central Election Authority shall on the application of the Speaker of the Riksdag, applying Section 51, if possible appoint two new substitutes, if

- the number of substitutes for a member of the Riksdag has reduced to a half or less than a half of the number appointed at the election because a substitute has been appointed as an ordinary member or has resigned for some other reason, or
- the number of substitutes is not sufficiently large for a substitute to be able to enter instead of a member in accordance with the provisions of the Instrument of Government and the Riksdag Act.

## Elections to county council assemblies

**Section 61** If a member resigns from the county council assembly during the period of election, the County Administrative Board shall on the application of the chairperson of the assembly appoint a new member. The person who is in turn to enter as a member in accordance with the order of substitutes in accordance with Section 54 shall be appointed as member.

**Section 62** If there is no person who can be appointed as a member in accordance with Section 61, the County Administrative Board shall conduct a new count and appoint a new member. In this computation, Chapter 20, Section 6 shall be applied. If a new member cannot be appointed, the seat shall be unoccupied during the remainder of the election period.

**Section 63** If a substitute has been appointed as an ordinary member or resigned as a substitute for some other reason, the County Administrative Board shall on the application of the chairperson of the assembly do a new computation and appoint a further substitute for each member concerned.

Substitutes for another member who has been appointed instead of a member who has resigned are the other candidates who would have been substitutes for the retiring member.

Section 54 shall be applied in connection with the computation. If a substitute cannot be appointed in accordance with the first paragraph, no substitute is appointed.

## Elections to municipal assemblies

**Section 64** If a member resigns from the municipal assembly during the election period, the County Administrative Board shall on the application of the chairperson of the assembly appoint a new member. The person who is in turn to enter as a member in accordance with the order of substitutes in accordance with Section 55 shall be appointed as member.

**Section 65** If there is no person who can be appointed as a member in accordance with Section 64, the County Administrative Board shall do a new computation and appoint a new member.

In this computation, Chapter 20, Section 6 shall be applied. If a new member cannot be appointed, the seat shall be unoccupied during the remainder of the election period.

**Section 66** If a substitute has been appointed as an ordinary member or resigned as a substitute for some other reason, the County Administrative Board shall on the application of the chairperson of the assembly do a new computation and appoint a further substitute for each member concerned. In those cases where the number of substitutes also after a substitute has resigned amounts to at least the number that the assembly decided, a new substitute shall be appointed only if the member otherwise would be without a substitute appointed for him or her.

Substitutes for another member who has been appointed instead of a member who has resigned are the other candidates who would have been substitutes for the retiring member.

Section 55 shall be applied in connection with the computation. If a substitute cannot be appointed in accordance with the first paragraph, no substitute is appointed.

## **Elections to the European Parliament**

**Section 67** If a representative of the European Parliament resigns during the election period, the Central Election Authority shall on the application of the European Parliament appoint a new representative. The person who is in turn to enter the Parliament in accordance with the order of substitutes in accordance with Section 57 shall be appointed as a new representative. If a new representative cannot be appointed, the seat shall be unoccupied during the remainder of the election period.

**Section 68** If a new representative has previously been a substitute in accordance with Section 56, second paragraph, for the resigning representative, a new substitute shall be appointed in accordance with Section 56.

Substitutes for another representative who has been appointed instead of a representative who has resigned are the other candidates who would have been substitutes for the resigning representative.

**Section 69** The Central Election Authority shall on the application of the European Parliament, applying Section 56, appoint if possible two new substitutes, if the number of the substitutes for a representative has reduced to half or less than half of the number that were appointed at the election because substitutes have been appointed as representatives or have resigned for other reasons.

### *Leave for representatives of the European Parliament*

**Section 70** A representative of the European Parliament is entitled to perform his or her assignment despite official duties or other obligations that the representative is under a duty to perform.

### **Tasks that are incompatible with the assignment to be a representative in the European Parliament.**

**Section 71** The assignment of being a representative in the European Parliament is not compatible with being

- a member of the Government of a Member State,
- a member of the Commission of the European Communities,
- a judge, Advocate General or judicial clerk in the Court of Justice of the European Communities,
- a member of the European Court of Auditors,
- a member of the advisory committee of the European Coal and Steel Community or of the Economic and Social

Committee of the European Community and the European Atomic Energy Community,

- a member of such committee or other body that has been appointed in accordance with the treaties on the establishment of the European Coal and Steel Community, the European Community and the European Atomic Energy Community to administer the funds of the Communities or to conduct a permanent and direct administration task,
- a member of the board, a member of the directorate or an employee of the European Investment Bank, or
- an officer or otherwise employed in active service within the institutions of the European Communities or professional bodies linked to them.

# Chapter 19. Appeals against elections and issue of certificates concerning who has been elected

## *Appeals*

**Section 1** Decisions of the Central Election Authority or the County Administrative Board to determine the outcome of an election or of such a computation to appoint successors or substitutes referred to in Chapter 18, Sections 58–69, may be appealed against to the Election Review Board in accordance with the provisions of this Chapter.

### **Who may appeal**

**Section 2** A decision may be appealed against by

- a person who in accordance with the electoral roll is entitled to vote in the election, and
- a party that has participated in the election.

### **How to appeal**

**Section 3** A person who wishes to appeal against a decision in accordance with Section 1 shall submit a written appeal to the authority that issued the decision (deciding authority). It shall have been received by it no sooner than the day after the election day and no later than 10 days after the election being concluded.

If the appeal relates to a decision concerning the appointment of a new members or representatives or substitutes in

accordance with Chapter 18, Sections 58–69, the appeal document shall have been received by the deciding authority within 10 days after the computation being concluded.

**Section 4** If the appeal document was received by the Election Review Board within the period of appeal, the appeal shall be taken up for consideration even if the document did not arrive at the deciding authority in time.

**Section 5** The Election Review Board shall determine whether a document with an appeal has been received in good time.

### **The appellant's right to receive information**

**Section 6** A person who wishes to appeal is entitled to at once obtain from the authority that issued the decision extracts from the minutes or other documents concerning the computation immediately.

### **Public notices**

**Section 7** As soon as possible after the time for appeals has expired, the deciding authority shall on one occasion give public notice of all appeals and submit the appeal documents to the Election Review Board. If an appeal relates to the Riksdag or European Parliament, the public notice shall be included in the Post- och Inrikes Tidningar (Official Gazette). If an appeal relates to the county council or municipal assembly the public notice shall be included in a local newspaper within the county council and municipality respectively.

**Section 8** A public notice in accordance with Section 7 shall include a short period within which declarations concerning appeals shall have been received by the Election Review Board.

## Views by the deciding authority

**Section 9** The deciding authority shall expeditiously submit its views concerning the appeals to the Election Review Board. The provisions of Section 27 and 28 of the Administrative Procedure Act (1986:223) concerning reconsideration of decisions shall not apply.

## Other provisions concerning appeals

**Section 10** A decision by which someone has been appointed as a member of the Riksdag or as a substitute applies even if the decision is appealed against. If the election is altered, a new member or substitute occupies the seat as soon as public notice of the election has been given. These provisions are contained in Chapter 3, Section 11, first paragraph, of the Instrument of Government.

A decision by which someone has been appointed as a member of a county council or municipal assembly or as a substitute applies even if the decision has been appealed against. If someone else is appointed as a member or substitute by reason of appeal, the decision applies as soon as the election or the computation has been concluded by which the member or substitute as been appointed.

Representatives of the European Parliament take up their assignments when they have been appointed and their eligibility considered by the European Parliament.

The provisions concerning inhibition in Section 29 of the Administrative Procedure Act (1986:223) do not apply to decisions referred to in this section.

## *Certificates*

**Section 11** A certificate shall be immediately issued to those who have been appointed as members of the Riksdag or representatives of the European Parliament or as substitutes by the Central

Election Authority concerning this. In the certificate the Central Election Authority shall state the

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

A certificate for a substitute shall also contain information about the member/members or representative/representatives that he or she has been appointed as substitute for and the order of these substitutes if several substitutes have been appointed for the same member or representative.

**Section 12** A extract from minutes or other documents from the computation upon which the member or representative or substitute was appointed shall apply as a certificate. The certificate shall be sent to the person who has been appointed as well as to the Election Review Board and the Speaker of the Riksdag. A certificate that relates to representatives shall also be sent to the European Parliament.

**Section 13** For a person who has been appointed as a member of the county council or municipal assemblies or as a substitute, a certificate concerning this shall immediately be issued by the County Administrative Board.

In the certificate the County Administrative Board state

- the name of the person who has been appointed, and
- the time, the party and, in appropriate cases, the constituency for which the member or substitute has been appointed.

**Section 14** An extract from minutes or other documents from the computation upon which the member or substitute was appointed shall apply as a certificate. The certificate shall be sent to the person who has been appointed and also to the county council and municipal assemblies respectively.

## *Parties shall be notified about certain decisions*

**Section 15** The deciding authority shall if possible advise a party affected by a decision by which a computation in accordance with Chapter 18, Sections 58–69, has been determined. The deciding authority may determine the manner in which the party shall be notified.

## *Consideration by the Election Review Board*

**Section 16** When the Election Review Board considers an appeal against a decision by which the outcome of a general election to the Riksdag or a general election to the county council or municipal assemblies has been determined, the Board shall have the same composition that it had at the time of the election. When the Board considers an appeal against a decision by which the outcome of another election is determined, the Board may have the composition it had at the time of the election.

When the Board determines a matter in accordance with this Act, all members of the Board shall attend. There are exceptions from this provision in Section 23.

**Section 17** If the Election Review Board in a matter in accordance with Section 1 considers that someone needs to be heard as a witness at court, the Board may order a hearing of a witness to be held at a district court.

As regards the taking of evidence in accordance with the first paragraph, Chapter 35, Sections 10 and 11 of the Code of Judicial Procedure apply. Compensation to witnesses shall be paid from public funds. The expense of this shall be borne by the state.

State and municipal authorities, Posten Aktiebolag and anyone who arranges special voting shall provide the Election Review Board with the information and views that it requests.

**Section 18** The Election Review Board shall when considering an appeal revoke an election to the extent it is necessary and order a re-election in the constituency concerned if

1. in preparation and implementation of the election for which an authority is responsible there have been deviations from the prescribed arrangements,
2. someone prevented voting,
3. falsified votes cast, or
4. improperly influenced the election in some other way.

However, a re-election shall only be ordered if there is cause to assume that what has occurred has influenced the outcome of the election.

If rectification can be achieved by repeating the computation or some other such less intrusive measure, the Board shall instead direct the deciding authority to implement such rectification.

**Section 19** If in connection with a count referred to in Chapter 18, Sections 58–69, a deviation from the prescribed system has occurred and it is not improbable that the deviation influenced the outcome of the count, the Election Review Board shall when considering an appeal revoke the count and direct the deciding authority to implement the rectification that is necessary.

**Section 20** If a particular decision may not be appealed against according to law or if it must be appealed against in a special order, a circumstance that is referred to in the decision may not be adduced in connection with an appeal that is referred to in Sections 18 or 19.

**Section 21** If a County Administrative Board has given notification in accordance with Chapter 18, Section 17 that too few members have been appointed to county council or municipal assemblies, the Election Review Board shall revoke the election and decide on re-election of all members and substitutes.

## *The examination of evidence by the Election Review Board*

**Section 22** The Election Review Board shall examine evidence for members of the Riksdag or representatives of the European Parliament and substitutes to consider whether the evidence has been issued in accordance with Section 11. The examination after an election to the Riksdag shall be concluded no later than on the day before the Riksdag to which the election related convenes for a new session. Other evidence that is received by the Election Review Board shall be examined as soon as possible. A report on the examination shall be immediately submitted to the Speaker of the Riksdag. If the election applies to representatives, the report of the examination shall also be sent to the European Parliament.

**Section 23** The Board may direct the chairperson or substitute for the chairperson, on behalf of the Board, in matters of a simple nature to examine evidence for a member of the Riksdag or a representative and substitute for a member of the Riksdag or a representative that is appointed during a current election period by reason of a member of the Riksdag or a representative retiring or substitute being appointed in accordance with Chapter 18, Sections 58, 60, 67 och 69.

# Chapter 20. Bases of computation

## *The adjusted odd-number method*

**Section 1** The comparative numbers in accordance with Chapter 18, Section 19, 20, 25, 26, 30 and 35 shall be computed in the following manner:

For as long as the party has not yet been allocated any seat, the comparative number is computed by the party's number of votes in the constituency being divided by 1.4. Following this, the comparative number is computed by the party's number of votes being divided by the number that is 1 greater than double the number of those seats that have already been allocated to the party in the constituency.

## *Distribution of adjustment seats and excess seats*

**Section 2** The distribution of the adjustment seats in accordance with Chapter 18, Section 21, second paragraph and Section 27, second paragraph, and the distribution of excess seats in accordance with Chapter 18, Sections 22, 28 and 31 shall be conducted in the following manner:

To the adjustment seats or excess seats that a party has been allocated is the first added the constituency where the party following distribution of the permanent constituency seats has a greater comparative number than in other constituencies. The remaining seats are allocated one after the other to the constituency where the party on each occasion has the greatest comparative number upon a continued application of the adjusted odd-number method in accordance with Section 1 on the party's number of votes in the constituencies.

However, in a constituency where the party has not obtained any permanent constituency seats, the comparative number on the allocation of the first seat shall be equal to the number of votes of the party.

### *Number of personal votes*

**Section 3** The order of the names of the candidates in accordance with Chapter 18, Section 38, first paragraph, Section 41, second paragraph, Section 44, second paragraph and Section 48 shall be determined in the following manner.

A number of personal votes is determined on the basis of the separate personal votes that have been cast for the candidate. Ballot papers upon which separate personal votes have been given shall be arranged according to group for the party denomination. Thereafter, the number of personal votes for every name in the group is counted. For names that have received personal votes corresponding to the number stated in the said statutory provisions, a number of personal votes is determined. The number of personal votes for a name is equal to the number of personal votes that has been given for the name under the same party denomination. The name that has the greatest number of personal votes takes the first place in the order, the name that has the next greatest number takes the second place and so on, on the same basis.

### *The whole-number method*

**Section 4** The order of the candidate names in accordance with Chapter 18, Sections 39, 42, 45 and 49 within each party shall be determined applying the whole-number method by special computations in the following manner.

On every computation a ballot paper applies only for one name.

Upon the computation a ballot paper applies for the name that appears first on the paper in which connection names

that have already been appointed are ignored. Ballot papers with the same first name form a group. The number of votes for each group is counted. The number of votes is equal to the number of ballot papers that are included in the group. The same number is also the comparative number for the name that appears first on the group's ballot papers. The name for which the comparative number is greatest obtains the first place in this order.

Upon each subsequent computation, a ballot paper applies for the name that appears first on the paper, in which connection names that have already obtained a place in the order are ignored. A person or the groups, whose ballot papers in the immediately preceding computation applied for the name that obtained a place in the order, are dissolved and arranged in new groups, so that ballot papers that upon the current computation apply for one and the same name form a group. Other existing groups are however retained unaltered. For every newly formed group, the number of votes is computed. The number of votes is equal to the number of ballot papers that are included in the group. For all names that participate in the computation, a number of votes and comparative number is computed.

The number of votes for a name is equal to the number of votes for the group or the aggregate number of votes for those groups whose ballot papers apply for the name. The comparative number for a name is equal to its number of votes, unless the group of ballot papers that apply for the name participated in the filling of a previously allocated place. If this is the case, the comparative number of the name is obtained by its number of votes being divided by the number that correspond with the proportion that the group obtained in filling a place or places that were allocated (the number of group places), increased by 1, or, if several groups of ballot papers that apply for the name participated in filling previously allocated places, with these groups' aggregate number of places, increased by 1. The number of places for a group is computed by the number of votes for the

group being divided by the largest comparative number upon the computation immediately prior to the formation of the group. Fractional numbers that occur when dividing are computed to 2 decimal places. The final decimal figure may not be increased.

The name whose comparative number is greatest obtains the next place in the order.

### *Special order for appointing substitutes and to discontinuing double election*

**Section 5** The special order for substitutes in accordance with Chapter 18, Sections 52, 54 and 57 together with discontinuing double election in accordance with Chapter 18, Section 46 shall be implemented in the following way.

In the first instance, the names are arranged on the basis of the computation of their number of personal votes in accordance with that stated in Section 3.

If a sufficient number of names cannot be arranged in accordance with the second paragraph, they shall be arranged on the basis of the ballot papers that applied to the name, when it obtained a place in the order in accordance with Sections 3 and 4. In connection with this computation, every ballot paper counts as a whole vote. Taking into account that the name of a person who has already obtained a place in the special order is considered to be non-existent, the value of the number of votes shall be attributed to the name that appears highest on the paper. The person who obtains the highest number of votes obtains a place in the special order.

### *Special rules for certain cases of appointment of substitutes and successors*

**Section 6** If a substitute must be appointed in accordance with Chapter 18, Section 51, second paragraph, or Section 56, second paragraph, and also if a new member must be appointed in

accordance with Section 62 and 65, the following shall apply. The candidate within the constituency whose turn it is to obtain the next seat for the party is appointed as substitute or new member. If there is no such candidate on the party's ballot paper, the Central Election Authority shall, as regards the election to the Riksdag, and the County Administrative Board, as regards elections to county and municipal assemblies, applying Section 2, decide on another constituency, where the party participates in the distribution of permanent constituency seats, from which the substitute or member shall be appointed. The person who is immediately in turn to obtain a seat for the party shall be appointed as a substitute.

### *Substitutes for municipal assemblies*

**Section 7** Substitutes in accordance with Chapter 18, Section 55 are appointed in the following manner.

In the first instance, substitutes are appointed on the basis of the order of the candidates that results from the computation of their number of personal votes in accordance with Section 3.

In the second instance, substitutes are appointed by a counting within the party for which he or she has been elected. Upon every counting, regard should be paid only to those ballot papers that include the name of the member and which by reason thereof applied to the name, when they obtained a place in the order. Every ballot paper counts as a whole vote. Taking into account that the name of a candidate who by the election was appointed as a member shall be deemed non-existent, the value of the vote is attributed to the name that is stated highest on the paper. The person who obtains the greatest number of votes is appointed as substitute for the member that the aggregation relates to. If several candidates obtain the same number of votes, the drawing of lots shall determine who shall have priority.

If the number of substitutes who have been appointed is less than the number that the municipal assembly has decided in accordance with Chapter 5, Section 4, second paragraph of the Local Government Act (1991:900) and the same substitutes have been appointed for three or more members, a further substitute is appointed for each and every of these members. In that connection, even the name of a candidate who by the election has been appointed as substitute for the member that the aggregation relates to is deemed non-existent. As for the rest, the manner in the second and third paragraph is implemented.

If the number of substitutes is still less than the number that the municipal assembly has decided in accordance with Chapter 5, Section 4, second paragraph of the Local Government Act and the same substitutes have been appointed for five or more members, a further substitute is appointed for each and every of these members.

Thereafter, successive further aggregate computations are conducted in a corresponding manner for those members whose substitutes have been appointed for seven or more members, nine or more members, and so on, as long as the number of substitutes is less than the number that the municipal assembly has decided.

**Section 8** If after substitutes have been appointed in accordance with Section 7, it transpires that for the member or members of a party there has only been appointed one substitute, a further counting shall be conducted until at least two substitutes have been appointed. In the event that the party has received two or more mandates, the counting shall in the first instance be conducted for the member who has obtained the greatest number of personal votes in proportion to the number of votes for the party in the constituency and thereafter for the person who has the greatest comparative number.

1. This Act enters into force on 1 April 2002.
2. The new wording of Chapter 3, Sections 2, 6 and 8, shall

be applied for the first time in preparation of the general election for the year 2006.

3. The new wording of Chapter 6, Section 11, shall be applied for the first time in preparation of the election for the European Parliament for the year 2004.

The Swedish Elections Act 1997 (Vallagen) entered into force 1 April 1999. The Act was translated by the lawyer and translator James Hurst (English Law Translations) and forms part of a long-term project undertaken by the Swedish Ministry of Justice aimed at making Swedish legislation internationally accessible.