

Sweden

National legislation for the protection of cultural heritage

1. National regulations (publication references)

- Cultural Monuments (etc.) Act (1988:950) with Amendments up to and including SFS 2000:265. Chap. 5. Safeguards against the exportation of certain items of historic interest.
- Cultural Monuments Ordinance (1988:1188) with amendments up to and including SFS 2002:18.

2. National cultural protection

2.1 Framework of protection (nature and legal status of protected cultural good)

Any person wishing to export an item of historic interest from Sweden must obtain permission to do so if the item is of the kind referred to in Cultural Monuments Ordinance (1988:1188) Section 24 § and 25 §.

In order to reduce the burden for institution receiving a grant from the State, National Heritage (NHB) board has issued a number of Open Licenses, which permit the export of certain specified objects without a need of obtain an individual S licence = Open General Export Licence (OGEL). No OGEL is granted by the NHB without the agreement of the permit-issuing authorities.

The provision do not override the requirement to obtain an open license under the Regulation 3911/92 (for exports to destinations outside the European Customs Union).

2.2 National protection of cultural goods (procedure, document for leaving the country, model, modalities to issue and use)

Export licence applications shall be submitted to the National Heritage Board (NHB). If it has been prescribed that the application is to be determined by another permit-issuing authority, the application is to be transmitted to that authority. The applicant shall, at the request of the permit-issuing authority, place the item at its disposal for inspection.

Questions concerning export permits are to be determined by the Royal Library, the National Heritage Board, the National Archives, the National Art Museum or the Nordic Museum Foundation (permit-issuing authorities).

2.3 Authority for the national protection and for the control of national treasures

National Heritage Board
(Riksantikvarieämbetet)
Box 5405
S-114 84 Stockholm
Telephone: +46 8 5191 80 00
e-mail: riksant@raa.se

Royal Library
(Kungliga biblioteket)
Box 5039
S-102 41 Stockholm
Phone: +46 8 463 40 00
e-mail: kungl.biblioteket@kb.se

National Archives
(Riksarkivet)
Box 12541
S-102 29 Stockholm
Phone: +46 87376350
e-mail: riksarkivet@ra.se

National Art Museum with the museum of Waldemarsudde
(Nationalmuseum)
Box 161 76
S-103 24 Stockholm
Phone: +46 851954300

The Nordic Museum Foundation
(Nordiska museet)
Box 27820
S-115 93 Stockholm
Phone: +46 851956000
e-mail: nordiska@nordm.se

3. Protection of national treasure

3.1 Definition of national treasure

The term Swedish items of historic interest refers to items which were actually or presumably made in Sweden or in some other country by a Swede. The term foreign items of historic interest refers to items made in another country by a non-Swede. For the purpose of determination under this Act, Sweden's boundaries at 1st July 1986 shall decide whether an object is to be deemed a Swedish item of historic interest.

Even if an item of historic interest is of major importance to the national cultural heritage, the Government may allow it to be taken out of the country if there are very strong reasons for doing so.

3.2 Nature of the protection (legal status, licence for exit or accompanying document, model)

Swedish and foreign items of historic interest and of major importance to the national heritage may not be taken out of the country without special permission. Any person wishing to export an item of historic interest from Sweden must obtain permission to do so.

Even if the item is of major importance to the national cultural heritage, permission shall be given for its exportation if

- 1- the owner migrates from Sweden to settle in another country,

- 2- the item has been acquired, through inheritance, legacy of partition, by a private person domiciled in another country,
- 3- the item is exported by a public institution in this Country or an institution receiving a grant from the State, municipality or a county council and is to be brought back to Sweden again,
- 4- the item is exported by an individual person for use in connection with public cultural activities and is to be brought back to Sweden again or
- 5- the item is temporarily in Sweden

4. Controls established to assure the protection of cultural national heritage

4.1 Customs authority appointed for the control of export (contact point)

HK Custom office
Tullverket
Produktionsavd, handelsenheten
S-Box 12 98 Stockholm
e-mail: hk.beredningssektionen@tullverket.se

4.2 Police authority appointed for the protection (contact point)

National Police Board
Rikskriminalpolisen
Box 12256
S-102 26 Stockholm
Phone: +46 8 4014672
e-mail: rikspolisstyrelsen@rps.police.se

4.3 Nature and legal basis for the control

Lag (1996:701) om Tullverkets befogenhet vid Sveriges gräns mot ett annat land inom Europeiska unionen. (Control)

Contraband (Penalties) Act (2000:1225). Law (2000:1244).

4.4 Modalities of control (particular powers)

See 2.1 above

5. Penalties relating to cultural goods and national treasures

Provision concerning penalties for the illegal exportation of items of historic interest and for attempted offence of this kind are contained in the Contraband (Penalties) Act (2000:1225). Law (2000:1244).

6. Other national specific regulations

6.1 Existence of preemption right, conditions of functioning

There is no right of preemption.

6.2 National taxation, particulars

6.3 Any other particulars

7. Sites (Internet or other) to access the previous information

Information on the export license requirement for cultural goods is posted on NHB website www.raa.se

Community legislation for the protection of cultural heritage

1. Directive No EEC/93/7 of the Council, of 15th March 1993, on the return of cultural objects unlawfully removed from the territory of a Member State

1.1 Text of transposition, references

- Cultural Monuments (etc.) Act (1988:950) with Amendment up to and including SFS 1994:1523. Chap. 6. Return of unlawfully removed cultural objects. Law (1994:1523).
- Cultural Monuments Ordinance (1988:1188) with Amendment up to and including SFS 2000:337.

A cultural object unlawfully removed after 31st December 1994 from a State included in the European Economic Area (EEA) and present in Sweden shall, on request, be returned to that state.

1.2 Central authority appointed in connection with the return of cultural goods

National Heritage Board
Box 5405
S-114 84 Stockholm
Phone: +46 851918000
e-mail: rikasant@raa.se

2. Regulation No EEC/3911/92 of the Council, of 9 December 1992, on the export of cultural goods

2.1 Competent authority for issuing the export licences of cultural goods

National Heritage Board
(Riksantikvarieämbetet)
Box 5405
S-114 84 Stockholm

Royal Library
(Kungliga biblioteket)
Box 5039
S-102 41 Stockholm

National Archives
(Riksarkivet)
Box 12541
S-102 29 Stockholm

National Art Museum
(Nationalmuseum)
Box 161 76
S-103 24 Stockholm

Nordic Museum Foundation
(Nordiska museet)
Box 27820

2.2 Nature of the control

Export licence applications shall be submitted to the National Heritage Board. If it has been prescribed that the application is to be determined by another permit-issuing authority, the application is to be transmitted to that authority. The applicant shall, at the request of the permit-issuing authority, place the item at its disposal for inspection.

Questions concerning export permits are to be determined by the Royal Library, the National Heritage Board, the National Archives, the National Art Museum or the Nordic Museum Foundation (permit-issuing authorities).

2.3 Penalties

Provision concerning penalties for the illegal exportation of items of historic interest and for attempted offence of this kind are contained in the Contraband (Penalties) Act (2000:1225). Law (2000:1244).

2.4 List of customs offices empowered to handle formalities for the export of cultural goods

All Customs Offices at ports, airports and custom offices.

2.5 Competent authority to implement controls (contact point)

HK Custom office
Tullverket
Produktionsavd, handelsenheten
S-Box 12 98 Stockholm
e-mail: hk.beredningssektionen@tullverket.se

2.6 Sites (Internet or others) to access previous information

Information on the export licence requirement for cultural goods is posted on the National Heritage Board website www.raa.se

International Conventions

1. Accession to International Conventions

Sweden acceded to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the 10 October 2002.

2. Responsible authority appointed for the implementation of conventions (contact point)

Ministry of Culture
S-103 33 Stockholm
Phone: +46 8 4051000

3. Framework of the UNESCO Convention, in case of accession

National legislation was not required

4. Other international conventions

None

5. Sites to access previous information

www.sweden.gov.se