

## **Act (2000: 92)**

### **Amending the Act (1960: 729) on Copyright in Literary and Artistic Works**

In accordance with the decision by the Parliament it is hereby prescribed that Articles 9, 26 and 26a in the Act (1960: 729) shall read as follows.

**9.** Copyright does not subsist in

1. laws and other regulations,
2. decisions by public authorities,
3. reports by Swedish public authorities,
4. official translations of texts mentioned under items 1.—3.

However, copyright subsists in works of the following kinds when they form part of a document mentioned in the first paragraph:

1. maps,
2. works of drawing, painting or engraving,
3. musical works, or
4. works of poetry.

Copyright also subsists in a work which forms part of an annex to a decision by a public authority, if the decision concerns the right of access to the public document where the work forms part.

**26.** Anyone is entitled to use oral or written statements

1. before public authorities,
2. in government or municipal representative bodies,
3. in public debates on public matters,
4. at public questionings on such matters.

The provisions of the first paragraph, items 1. and 2. do, however, not apply as regards information for which secrecy applies under the provisions of Chapter 8, Article 27, of the Secrecy Act.

In the application of the provisions in the first paragraph it shall, however, be observed,

1. that writings cited as evidence, reports and similar works may be used only in connection with a report concerning the legal proceedings or case in which they have appeared and only to the extent necessary for the purpose of such a report,
2. that the author has an exclusive right to publish compilations of his statements, and
3. that what is stated during questionings as mentioned in the first paragraph, item 4. must not be used, on the basis of that provision, in sound radio or television broadcasts.

**26a.** Anyone is entitled to use works which form part of the documents mentioned in Article 9, first paragraph, and which are of the kind mentioned in Article 9, second paragraph, items 2.—4. This does not, however, apply to such works as mentioned in Article 9, third

paragraph. The author is entitled to remuneration, except when the use occurs in connection with

1. the activities of a public authority,
2. a report of the legal proceeding or case in which the work appears and the work is used only to the extent necessary for the informatory purpose.

Anyone is entitled to use documents which are prepared by Swedish public authorities but which are not such as are mentioned in Article 9, first paragraph.

The second paragraph does not apply to

1. maps,
2. technical models,
3. computer programs,
4. works created for educational purposes,
5. works which are the result of scientific research,
6. works of drawing, painting or engraving,
7. musical works,
8. works of poetry, or
9. works copies of which are made available to the public through public authorities in connection with commercial activities.

1. This Act enters into force on April 1, 2000.
  2. The new provisions in Articles 9 and 26a apply also to works which form part of an annex to a decision which has been given before the entry into force.
  3. The new provision in Article 26 applies also to information contained in works which have been cited orally or in writing before the entry into force.
  4. An act which has been undertaken before the entry into force in respect of a work as mentioned in items 2. and 3. and which was permissible at that time can not be challenged on the basis of the new provisions.
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