

Act on Sweden's economic zone; promulgated on 3 December 1992

By a decision taken by Parliament, the following has been enacted:

General provisions

Article 1

Sweden's economic zone includes the marine area outside the territorial boundary prescribed by the Government. The zone may not, however, extend beyond a demarcation line which has been agreed upon with another State, or, in the absence of such an agreement, beyond the midline in relation to the other State.

The word "midline" shall be understood to mean a line each point of which is situated at an equal distance from the nearest points on the baselines from which the breadth of Sweden's and the other State's territorial sea is reckoned.

Protection of the marine environment

Article 2

Persons navigating in the economic zone or carrying out research or other activities in the zone shall take such measures as are necessary for the avoidance of damage to the marine environment.

The Government or such authority as the Government determines may publish regulations for the protection and preservation of the marine environment.

Article 3

Further provisions for protection against certain pollutants of the marine environment may be found in Act 1980:424, concerning measures against water pollution from vessels, and in Act 1974:1154, concerning the dumping of wastes into the water.

Utilization of natural resources, etc.

Article 4

With regard to fishing in the economic zone, Act 1950:596, concerning the right to fishing, shall apply. With regard to the right to explore the floor of the continental shelf in the zone and to exploit the natural resources of the continental shelf, Act 1966:314, concerning the continental shelf, shall apply.

Article 5

With reference to natural resources in the economic zone other than those referred to in article 4, a licence from

the Government or from such authority as the Government determines shall be required for:

1. The investigation, extraction and other utilization of such natural resources;
2. The establishment and utilization of artificial islands;
3. The establishment and utilization of installations and other equipment for commercial purposes.

A decision to grant a licence shall specify the activity to which the licence relates and the conditions that shall apply to the activity. A licence may be restricted to a specific time.

Article 6

In the examination of licences referred to in article 5 Act 1987:12, concerning the economy of natural resources and the like, shall apply.

Article 7

The Government, or such authority as the Government determines, may, in order to protect an artificial island, installation or other equipment which has come into being on the basis of this Act, publish regulations concerning a security zone extending not more than 500 metres from the outer edge of the island or equipment.

Article 8

A licence may be revoked if the licensee disregards his obligations under this Act or under the regulations or conditions which have been published on the basis of the Act or if any other reasonable cause exists.

If a licence is revoked even though the licensee has not disregarded his obligations, he shall have the right to compensation from the State for the loss resulting from the measures he has taken in connection with licence.

Marine scientific research

Article 9

Marine scientific research may not be carried out in the economic zone by foreign nationals without permission from the Government or such authority as the Government determines. The Government or such authority as the Government determines may prescribe that an application for a licence shall be replaced by a notification or that neither the licence nor the notification shall be necessary.

The licence may be restricted to a specific time and may be associated with conditions. With regard to the revocation of licences and the right to compensation in such a case, the provisions of article 8 shall apply.

Principles relating to international law

Article 10

This Act, as well as the regulations and conditions that are published on the basis of the Act, shall not include any restrictions of the rights, existing under international law, to free navigation in the economic zone, to overflight of the zone and to the placement of cables and pipelines in the zone, nor of any other rights that follow from the

generally recognized principles of international law.

Supervision, etc.

Article 11

Supervision of compliance with this Act, as well as with the regulations and conditions which have been published on the basis of the Act, shall be exercised by such authority or authorities as the Government determines.

Article 12

Any person who carries out an activity in accordance with this Act shall be required to supply to a supervisory authority, upon request, such information and documents as are necessary for the supervision.

Article 13

A supervisory authority may publish such orders as are necessary to ensure that this Act and the regulations and conditions published on the basis of this Act are complied with.

An order may be associated with a fine.

Article 14

If an activity is carried out in such a way that it obviously constitutes a danger to the environment or to some other public or individual interest, a supervisory authority may prohibit the activity. A decision to impose such a prohibition shall be applicable immediately and may be put into effect notwithstanding the fact that it has not acquired the force of law.

Applicable law, penalties, etc.

Article 15

On an artificial island, installation or other equipment which has been established on the basis of this Act, Swedish law shall apply in the same manner as if the equipment were situated within the country. The equipment shall then be regarded as being situated within the nearest part of Sweden's territorial sea.

Article 16

A fine shall be imposed on any person who intentionally or through negligence:

1. Fails to comply with a regulation that has been published on the basis of article 2 or article 7;
2. Carries out an activity in violation of article 5 or article 9 or disregards a condition that has been published on the basis of article 5 or article 9;
3. Continues to carry out an activity after the supervisory authority has prohibited the activity on the basis of Article 14.

Article 17

Any person who has committed an offence referred to in article 16 shall be judged by a Swedish court even if Chapter 2, article 2, or article 3, of the Criminal Code is not applicable.

If an offence against this Act or against a regulation which has been published on the basis of the Act has been committed in the economic zone, prosecution for that offence shall be instituted by the district court [tingsrät] whose area of competence is nearest to the place where the offence was committed.

Article 18

Other decisions in special cases than those which the Government or an ordinary court [allmän domstol] has published in accordance with this Act or in accordance with the regulations published on the basis of this Act may be appealed to the administrative court of appeal (kammarrätten).

This Act shall enter into force on 1 January 1993.