

This is an unofficial translation of the Law (2020:540) amending the Copyright Act (1960: 729) literary and artistic works. Should there be any differences between this translation and the authentic Swedish text, the authentic Swedish text will prevail.

## Law (2020:540) amending the Copyright Act (1960: 729) literary and artistic works

Issued on the 17<sup>th</sup> of June 2020

**Article 53<sup>1</sup>** Anyone who, in respect of a literary or artistic work, commits an act which infringes the copyright enjoyed in the work under the provisions of Chapters 1 and 2 or which violates directions given under Article 41, second Paragraph, or Article 50, if the act is committed intentionally or by gross negligence, is punishable for *copyright violation* with a fine or imprisonment for up to two years. This also apply if someone brings in a copy of a work into Sweden with the aim to distribute it to the public, if the copy has been produced abroad and the corresponding production here would have been punishable under the first sentence.

If the violation was committed intentionally and is considered serious, the person is punishable for *serious copyright violation* with imprisonment for a minimum of six months up to a maximum of six years. When assessing whether the violation is serious, particular consideration has to be given to whether the act concerned

1. has been preceded by particular planning,
2. was part of criminal activities conducted in an organised form, was
3. conducted on a large scale,
4. was otherwise of a particularly dangerous nature.

Anyone who for his personal use reproduces a computer program which has been published or of which a copy has been transferred with the consent of the author shall not be subject to criminal liability, if the master copy for the reproduction is not being used in commercial or public activities and he or she does not use the copies produced of the computer program for any purposes other than his or her personal use. Anyone who for his or her personal use has made a copy in digital form of a compilation in digital form which has been made the public shall, under the same conditions, not be subject to criminal liability for the act.

Anyone who has violated an injunction issued with a penalty of a fine pursuant to Article 53 b, must not be held liable for infringements covered by the injunction.

Responsibility is assigned under Chapter 23 of the Criminal Code for attempting to commit or preparation of copyright violation or serious copyright violation. (Act 2020:540)

<sup>1</sup>Latest version 2005:360.

**Article 59<sup>2</sup>** The prosecutor may initiate a prosecution for violations referred to in this Act only if the prosecution is motivated for being in the public interest.

**SFS**

An action relating to a violation of the provisions in Article 3 or of directions given under Article 41, second Paragraph, may always be brought by the surviving spouse of the author, by his relatives in the direct ascending or descending line or by his brothers or sisters.

If there is reason to believe that a criminal violation under this Act has occurred, property referred to in Article 55 may be taken into custody. In such cases the rules governing custody in criminal cases in general apply. (Act 2020:540).

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This Act enters into force on the 1 September 2020.