

Constitution – (1974:152, **Utfärdad:** 1974-02-28
Omtryck: SFS 2011:109, 2014:1385, 2018:1903)

Chapter 1. Basic principles of the form of government

Art. 1.

All public power in Sweden proceeds from the people. Swedish democracy is founded on the free formation of opinion and on universal and equal suffrage. It is realised through a representative and parliamentary form of government and through local self-government. Public power is exercised under the law.

Chapter 3. The Riksdag

Formation and composition of the Riksdag

Art. 1.

The Riksdag is appointed by means of free, secret and direct elections. Voting in such elections is by party, with an option for the voter to express a personal preference vote.

Art. 2.

The Riksdag consists of a single chamber comprising three hundred and forty-nine members. Alternates shall be appointed for members.

Ordinary elections

Art. 3.

Ordinary elections to the Riksdag are held every four years.

Right to vote and eligibility to stand for election

Art. 4.

Every Swedish citizen who is currently domiciled within the Realm or who has ever been domiciled within the Realm, and who has reached the age of eighteen, is entitled to vote in an election to the Riksdag. Only a person who is entitled to vote may be a member or alternate member of the Riksdag.

The question of whether a person has the right to vote is determined on the basis of an electoral roll drawn up prior to the election.

Constituencies

Art. 5.

The Realm is divided up into constituencies for the purpose of elections to the Riksdag.

Distribution of seats among constituencies

Art. 6.

Of the seats in the Riksdag, 310 are fixed constituency seats and 39 are adjustment seats.

The fixed constituency seats are distributed among the constituencies on the basis of a calculation of the relationship between the number of persons entitled to vote in each constituency, and the total number of persons entitled to vote throughout the whole of the Realm. The distribution of seats among the constituencies is determined for four years at a time.

Distribution of seats among parties

Art. 7.

The seats are distributed among the parties which have notified their participation in the election in accordance with rules laid down in law.

Only parties which receive at least four per cent of the votes cast throughout the the Realm may share in the distribution of seats. A party receiving fewer votes, however, may participate in the distribution of

the fixed constituency seats in a constituency in which it receives at least twelve per cent of the votes cast.

Art. 8.

The fixed constituency seats in each constituency are distributed proportionately among the parties on the basis of the election result in that constituency.

If, in the distribution of the fixed constituency seats under paragraph one, a party obtains seats in the whole of the Realm which exceed the number corresponding to the proportional representation of that party in the Riksdag, then the surplus seats shall be returned and distributed among the other parties in accordance with rules laid down in law.

The adjustment seats are distributed among the parties in such a way that the distribution of all the seats in the Riksdag, other than those fixed constituency seats which have been allocated to a party polling less than four per cent of the national vote, is in proportion to the total number of votes cast throughout the Realm for the parties participating in the distribution of seats. If, in the distribution of the fixed constituency seats, a party obtains seats which equal the number corresponding to the proportional representation of that party in the Riksdag, then that party and the fixed constituency seats which it has obtained are disregarded in distributing the adjustment seats. The adjustment seats are allocated to constituencies after they have been distributed among the parties.

The odd-number method is used to distribute the seats among the parties, with the first divisor adjusted to 1.2.

Art. 9.

One member is appointed for each seat a party obtains, together with an alternate for that member.

Electoral period

Art. 10.

Each election is valid for the period from the date on which the newly-elected Riksdag convenes to the date on which the Riksdag elected next thereafter convenes.

The newly-elected Riksdag convenes on the fifteenth day following election day but no sooner than the fourth day after the result of the election has been declared.

Extraordinary elections

Art. 11.

The Government may decide that an extraordinary election to the Riksdag shall be held between ordinary elections. An extraordinary election is held within three months from the decision.

After an election to the Riksdag has been held, the Government may not hold an extraordinary election until three months from the date on which the newly-elected Riksdag first convened. Neither may the Government decide to hold an extraordinary election while ministers remain at their posts, after all have been formally discharged, pending assumption of office by a new Government.

Rules concerning an extraordinary election in a particular case are laid down in Chapter 6, Article 5.

Appeals against election results

Art. 12.

Appeals against elections to the Riksdag shall be lodged with an Election Review Board appointed by the Riksdag. There is no right of appeal against a decision of the Board.

A person who has been elected a member of the Riksdag exercises his or her mandate even if the election result has been appealed. If the result of the election is revised, a new member takes his or her seat immediately after the revised result has been declared. This applies in a similar manner to alternate members.

The Election Review Board consists of a chair, who is currently, or

has been previously, a permanent salaried judge and who may not be a member of the Riksdag, and six other members. The members are elected after each ordinary election, as soon as the result of the election becomes final, and serve until a new election for the Board is held. The chair is elected separately.

Further rules

Art. 13.

Further rules concerning matters under Articles 3 to 12 and concerning the appointment of alternates for members of the Riksdag are laid down in the Riksdag Act or elsewhere in law.

Chapter 6. The Government

Composition of the Government

Art. 1. The Government consists of the Prime Minister and other ministers. The Prime Minister is appointed in accordance with the rules laid down in Articles 4 to 6. The Prime Minister appoints the other ministers.

Art. 2. The ministers must be Swedish citizens. A minister may not have any other employment. Neither may he or she hold any appointment or engage in any activity which might impair public confidence in him or her.

Vote on the Prime Minister after an election

Art. 3. No later than two weeks after it has convened, a newly-elected Riksdag shall determine by means of a vote whether the Prime Minister has sufficient support in the Riksdag. If more than half of the members of the Riksdag vote no, the Prime Minister shall be discharged. No vote shall be held if the Prime Minister has already been discharged.

Formation of the Government

Art. 4. When a Prime Minister is to be appointed, the Speaker summons for consultation representatives from each party group in the Riksdag. The Speaker confers with the Deputy Speakers before presenting a proposal to the Riksdag. The Riksdag shall vote on the proposal within four days, without prior preparation in committee. If more than half the members of the Riksdag vote against the proposal, it is rejected. In any other case, it is adopted.

Art. 5.

If the Riksdag rejects the Speaker's proposal, the procedure laid down in Article 4 is repeated. If the Riksdag rejects the Speaker's proposal four times, the procedure for appointing a Prime Minister is abandoned and resumed only after an election to the Riksdag has been held. If no ordinary election is due in any case to be held within three months, an extraordinary election shall be held within the same space of time.

Art. 6. When the Riksdag has approved a proposal for a new Prime Minister, the Prime Minister shall inform the Riksdag as soon as possible of the names of the ministers. Government changes hands thereafter at a Council of State before the Head of State or, in his or her absence, before the Speaker. The Speaker shall always be summoned to attend such a Council.

The Speaker issues a letter of appointment for the Prime Minister on the Riksdag's behalf.

Discharge of the Prime Minister or a minister

Art. 7. If the Riksdag declares that the Prime Minister, or a member of his or her Government, no longer has its confidence, the Speaker shall discharge the minister concerned. However, if the Government is in a position to order an extraordinary election to the Riksdag and does so within one week from a declaration of no confidence, the minister shall not be discharged.

Rules concerning discharge of the Prime Minister following a vote on the Prime Minister after an election are laid down in Article 3.

Art. 8. A minister shall be discharged if he or she so requests; in such a case the Prime Minister is discharged by the Speaker, and any other minister by the Prime Minister. The Prime Minister may also discharge any other minister in other circumstances.

Art. 9. If the Prime Minister is discharged or dies, the Speaker shall discharge the other ministers.

Chapter 8. Acts of law and other provisions

Provisions adopted by means of an act of law

Art. 2.

Provisions concerning the following shall be adopted by means of an act of law:

1. the personal status or mutual personal and economic relations of individuals;
2. relations between individuals and the public institutions which relate to the obligations of individuals, or which otherwise encroach on their personal or economic circumstances;
3. principles governing the organisation and working procedures of local authorities and local taxation, as well as the competence of local authorities in other respects, and their responsibilities;
4. religious communities and the principles on which the Church of Sweden as a religious community is based;
5. the holding of a consultative referendum throughout the Realm and the procedure for holding a referendum on a matter of fundamental law; and
6. elections to the European Parliament.

It also follows from other rules laid down in the present Instrument of Government and other fundamental laws that provisions with a certain content shall be adopted by means of an act of law.

Enactment of fundamental law and the Riksdag Act

Art. 14.

Fundamental law is enacted by means of two decisions of identical wording. With the first decision, the proposal for the enactment of fundamental law is adopted as being held in abeyance. The second decision may not be taken until elections to the Riksdag have been held throughout the Realm following the first decision, and the newly-elected Riksdag has convened. At least nine months shall elapse between the first submission of the matter to the Chamber of the Riksdag and the date of the election, unless the Committee on the Constitution grants an exception. Such a decision shall be taken no later than the committee stage, and at least five sixths of the members must vote in favour of the decision.

Art. 15. The Riksdag may not adopt as a decision held in abeyance over an election a proposal for the enactment of fundamental law which conflicts with any other proposal concerning fundamental law currently being held in abeyance, unless at the same time it rejects the proposal first adopted.

Art. 16.

A referendum shall be held on a proposal concerning fundamental law which is held in abeyance over an election, on a motion to this effect by at least one tenth of the members, provided at least one third of the members vote in favour of the motion. Such a motion must be put forward within fifteen days from the date on which the Riksdag adopted the proposal to be held in abeyance. The motion shall not be referred for preparation in committee.

The referendum shall be held simultaneously with the election referred to in Article 14. In the referendum, all those entitled to vote in the election are entitled to state whether or not they accept the proposal on fundamental law which is being held in abeyance. The proposal is rejected if a majority of those taking part in the referendum vote against it, and if the number of those voting against exceeds half the number of those who registered a valid vote in the election. In other cases the proposal goes forward

to the Riksdag for final consideration.

Art. 17. The Riksdag Act is enacted as prescribed in Article 14, sentences one to three, and Article 15. It may also be enacted by means of a single decision, provided at least three fourths of those voting and more than half the members of the Riksdag vote in favour of the decision.

Supplementary provisions of the Riksdag Act are however adopted in the same manner as ordinary law. The provisions of paragraph one also apply to the adoption of an act of law under Article 2, paragraph one, point 4.

Chapter 15. War and danger of war

Elections to the Riksdag

Art. 11.

If the Realm is at war, elections to the Riksdag may be held only if the Riksdag so determines. If the Realm is exposed to the danger of war when an ordinary election is due to be held, the Riksdag may decide to defer the election. Such a decision shall be reviewed within one year and at intervals of no more than one year thereafter. A decision under this paragraph is valid only if at least three fourths of the members of the Riksdag vote in favour of it.

If any part of the Realm is occupied when an election is due to be held, the Riksdag shall approve any necessary modification of the rules laid down in Chapter 3. No exceptions may however be made from Chapter 3, Articles 1, 4, 5, 7 to 9 or 12. Any reference to the Realm in Chapter 3, Article 5, 7, paragraph two; or Article 8, paragraph two, shall apply instead to that part of the Realm for which the election is to be held. At least one tenth of the total number of seats shall be adjustment seats. An ordinary election which is not held at the time prescribed, in consequence of paragraph one, shall be held as soon as possible after the war ends or the danger of war has passed. The Government and the Speaker, jointly or separately, shall ensure that the necessary steps are taken.

If, in consequence of this Article, an ordinary election has been held at a time other than the time at which it would normally have been held, the Riksdag shall set the date of the next ordinary election for that month in the fourth or fifth year following the first-named election in which an ordinary election is due to be held under the Riksdag Act.