[SE] Widened Scope of Application of the Fundamental Law on Freedom of Expression

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Freedom of expression in the media enjoys a privileged position in Sweden under a comprehensive set of rules. The freedom is specially regulated by constitutional provisions - The Freedom of the Press Act (tryckfrihetsförordningen - TF) as regards printed media, and the Fundamental Law on Freedom of Expression (yttrandefrihetsgrundlagen - YGL) which applies to non-printed media. On 1 January 1999 amendments of YGL and TF, concerning inter alia the scope of application of the Acts, entered into force.

In YGL the term electronic recordings (tekniska upptagningar) was introduced as a collective term for recordings which contain text, picture or sound, and which can be read, listened to or otherwise be perceived only with technical aid. This broadens the scope of application of YGL, wich before the amendment had been applicable only to sound radio, television and certain like transmissions, films, videograms and other representations of moving pictures, and sound recordings. For example the Law now also applies to CD-roms and computer diskettes which contain solely text, still pictures or moving pictures, or which contain a mixed content (i.e. computer and video games etc.). The amendment leaves it open to what extent YGL applies to the Internet. Live transmissions of sound radio and TV-programs over the Internet, however, probably fall under the scope of application of the Law, in parallel with the case of cable TV transmissions.

Lag (1998:1439) om ändring i yttrandefrihetsgrundlagen (Regeringens proposition 1997/98:43 Tryckfrihetsförordningens och yttrandefrihetsgrundlagens tillämpningsområden barnpornografifrågan m.m.).

Act (1998:1439) About Amendments of the Fundamental Law on Freedom of Expression (Government Bill 1997/98:43 The Scope of Application of the Freedom of the Press Act and the Fundamental Law on Freedom of Expression the Child Pornography Issue etc.).

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