

## Sweden: Aliens Ordinance (1989:547)

Publisher [National Legislative Bodies / National Authorities](#)

Publication Date 8 June 1989

Cite as National Legislative Bodies / National Authorities, *Sweden: Aliens Ordinance (1989:547)*, 8 June 1989, available at: <http://www.refworld.org/docid/3ae6b50a18.html> [accessed 17 September 2014]

Comments This is a consolidated translation published by the Swedish Ministry of Culture in February 1993. It includes amendments up to 19 January 1993.

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

### CHAPTER 1 - PROVISIONS CONCERNING PASSPORTS

#### Exceptions to the stipulation of holding a passport

##### Section 1

An alien, being a citizen of another Nordic country and coming to Sweden directly from such a country, need not have a passport while entering or staying in Sweden.

An alien holding a permanent residence permit need not have a passport when staying in Sweden.

An alien under the age of sixteen need not have a personal passport in order to enter or stay in Sweden if he is accompanied by an adult whose passport includes the particulars needed for establishing the child's identity.

##### Sec. 2

An alien who does not need to have a passport must, when requested to do so by a police authority or a police officer, establish that he is exempt from the requirement of a passport.

#### National passports

##### Sec. 3

An identity document is valid as a passport (national passport - "hemlandspass") if it is issued by a competent authority of the state of which the holder is a citizen and is drawn up in accordance with the provisions of subsections two-three below.

The national passport shall contain :

1. particulars concerning the holder's citizenship and full name, together with his date and place of birth,

2. particulars concerning the passport's period of validity,
3. the holder's signature and a certificate, issued by a competent authority, to the effect that the holder has signed his name with his own hand,
4. the stamp or seal of the passport authority and particulars concerning the validity of the passport for entry into Sweden,
5. a good photographic likeness of the holder and a certificate, issued by the passport authority, to the effect that the photograph represents the person to whom the passport has been issued.

The passport shall be made out in Swedish, Danish, Norwegian, English, French, Italian, Spanish or German, or shall be furnished with a certified translation into one of these languages.

## **Sec. 4**

An identity document failing in some respect to meet the requirements of Section 3, subsection two, paragraphs 1, 3, 4 and 5, and subsection three may be accepted as a national passport if there are special grounds for so doing, always provided that the holder's identity can be established by means of the document.

## **Sec. 5**

A national passport issued to husband and wife jointly may be accepted for entry and temporary residence in Sweden both when the spouses are travelling together and when only one of them enters Sweden.

## **Other identity documents**

### **Sec. 6**

An identity card issued by a competent authority in Belgium, France, Italy, Liechtenstein, Luxembourg, the Netherlands, Switzerland, the Federal Republic of Germany or Austria for a citizen of the issuing state shall be valid as a passport for entering Sweden and staying in the country for a period not exceeding three months from the date of entry.

### **Sec. 7**

An identity document issued by a competent authority of a foreign state for a citizen of another State or for a person without citizenship shall be valid as a passport if made out in compliance with the provisions of Section 3, subsections two and three.

### **Sec. 8**

A collective document of identity issued to several aliens (a "collective passport") may be accepted as a passport if the aliens are to travel together through Sweden or are to remain here for a short period and for a common purpose. A collective passport may only cover citizens of the country of the issuing authority. It may not include less than ten or more than fifty persons. Each person entered in the passport shall hold an identity document issued by a public authority in his home country.

In regard to collective passports, which have been made out in accordance with the European Agreement of 16th December 1961 on Travel by Young Persons on Collective Passports, and which are issued by a Swedish authority or an authority of a state which has acceded to and applies the

provisions of the Agreement in relation to Sweden, the Agreement shall apply in lieu of subsection one of the present section.

If a collective passport refers to foreign citizens who are not obliged to hold a visa, the passport shall be approved by the head of a Swedish diplomatic mission, or a Swedish consul who is authorised to issue visas, or the police authority in a place where there are passport control facilities for persons entering Sweden. Such approval is not required, however, if the passport has been approved by the competent authority in Denmark, Finland, Iceland or Norway for entry into one of these countries.

## **Sec. 9**

Further regulations as to which documents may be accepted as passports are issued by the Swedish Immigration Board after consulting the National Police Board.

## **Travel documents**

### **Sec. 10**

A travel document issued by the Swedish Immigration Board in accordance with Chap. 3, Section 7 of the Aliens Act (1 989:529) is valid as a passport for entry and residence in this country.

A travel document shall be issued in cases referred to in the Convention of 28th July 1951 Relating to the Status of Refugees or the Convention of 28th September 1954 Relating to the Status of Stateless Persons, or the Convention of 23rd November 1957 Relating to Refugees who are Seamen.

A travel document is to be issued for a certain period and, when it is issued, a note may be added to the effect that the holder's identity has not been substantiated.

The Swedish Immigration Board may extend the validity of a travel document.

## **Alien's passport**

### **Sec. 11**

If an alien has no document valid as a passport and is in no position to procure such a document, the Swedish immigration Board may issue him with an alien's passport to serve as a passport. The Board may also issue an alien's passport in other cases if there are special grounds for so doing.

### **Sec. 12**

An alien's passport shall be issued for a specified period and may, at the time of issue or subsequently, be provided with a special entry concerning the extent of its validity. The Swedish Immigration Board or, by authority of the same, a Swedish police authority, may prolong the validity of the passport for a specified period.

An alien's passport may, when issued, be annotated to the effect that the holder's identity has not been substantiated.

## **Return of travel documents and aliens' passports**

### **Sec. 13**

If the holder of a travel document issued by the Swedish Immigration Board ceases to be a refugee or stateless person, the travel document is to be returned to the Swedish Immigration Board.

## **Sec. 14**

An alien's passport is to be returned to the Swedish Immigration Board if the holder:

1. has become a Swedish citizen,
2. has obtained another document which is valid as a passport,
3. intends returning to his country of origin,
4. is debarred by a special removal order from residing in this country, or
5. is deceased.

## **Diplomatic staff and others**

### **Sec. 15**

The provisions stipulating the holding of a passport contained in Chap. 1, Section 2 of the Aliens Act (1989:529) and the provisions of this Chapter shall where relevant also apply to diplomatic officials employed by foreign powers in Sweden and to paid consular officials as well as their families and servants. Such persons are to have national passports.

## **CHAPTER 2 - PROVISIONS CONCERNING VISAS**

### **Exceptions to visa stipulations**

#### **Sec. 1**

In addition to the provisions of Chap. 1, Section 3 of the Aliens Act (1989:529), the following aliens are exempt from the stipulation of visas

1. citizens of Andorra, Argentina, Australia, the Bahamas, Barbados, Belize, Bolivia, Bosnia-Herzegovina, Botswana, Brazil, Brunei, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Dominica, the Dominican Republic, El Salvador, Ecuador, Fiji, Gambia, Greece, Grenada, Guatemala, Haiti, Hungary, Honduras, Ireland, Israel, the Ivory Coast, Jamaica, Japan, Kenya, Kiribati, Lesotho, Malawi, Malaysia, Malta, Mauritius, Mexico, Monaco, Namibia, Nicaragua, Niger, New Zealand, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, San Marino, Saint Lucia, Saint Vincent and the Grenadines, the Seychelles, Singapore, the Slovak-republic, Slovenia, the Solomon Islands, Spain, Surinam, Swaziland, Tanzania, Thailand, Togo, Trinidad and Tobago, Tuvalu, Uganda, the United States of America, Uruguay, Venezuela, Zambia or Zimbabwe, holding national passports.
2. British citizens holding national passports or a British visitor's passport issued by a competent authority in their country of origin, and the holder of a national passport designated "British Passport" giving his citizenship as "British, British Dependent Territory Citizen" (BDTC) or "British National Overseas" (BNO) and entitling him to enter the United Kingdom.
3. A citizen of Belgium, France, Italy, Liechtenstein, Luxembourg, the Netherlands, Switzerland or Austria, holding a valid national passport or an identity document issued by a competent authority in

his home country.

4. The holder of a national passport or identity card issued by a competent authority in the Federal Republic of Germany or the former German Democratic Republic or a citizen of the Federal Republic of Germany holding a document designated "Reiseausweis als Passersatz" and issued by a frontier control authority in the Federal Republic of Germany, provided the document is accompanied by a previously mentioned national passport or identity card which has expired, and also that the validity of the document has been limited to the requirements involved by the journey.

5. A citizen of any of the states mentioned in 1-4 above, who is entered in a valid collective passport issued by a competent authority in his home country.

6. The holder of a valid Swedish, Danish, Finnish, Icelandic or Norwegian alien's passport, if the passport shows that the holder is entitled to enter the issuing country.

7. The holder of a travel document issued, under the Agreement of 15th October 1946 Relating to the Issue of Travel Documents to Refugees, the Convention of 28th July 1951 Relating to the Status of Refugees or the Convention of 23rd November 1957 Relating to Refugees who are Seamen, by a Swedish authority or any authority of a country which has acceded to and, in relation to Sweden, adheres to the provisions of the European Agreement of 20th April 1959 on the Abolition of Visas for Refugees.

8. Refugees or stateless persons who are entered in a valid Swedish collective passport or a collective passport issued by any authority of a country which has acceded to and, in relation to Sweden, adheres to the provisions of Article 13 of the European Agreement of 16th December 1961 on Travel by Young Persons on Collective Passports and made out under the provisions of the above Agreement and the declaration made by Sweden in respect of the said Article.

9. Any person who is a holder of a United Nations "Laissez-passer" and a certificate issued by the United Nations or any of its specialised agencies or subordinate organs which he represents, showing that he is travelling on official business.

10. The holder of a "Laissez-passer" of the European Community.

11. The holder of a Vatican passport.

12. Citizens of Bangladesh, the Philippines, Iran, Pakistan or Turkey holding diplomatic passports or official passports.

An alien as referred to in subsection one, above, who is not included in an identity document issued by a Swedish authority may not enter or reside in Sweden without a visa if he has been expelled from another Nordic country and is not entitled, without special permission, to return to the country from which he was expelled.

## **Special authorisation**

### **Sec. 2**

The Swedish Immigration Board may authorise a Swedish diplomatic mission or a Swedish consulate to decide the visa questions. Before authorising a Swedish diplomatic mission or consulate to reject visa applications, the Swedish Immigration Board is to consult the Ministry of Foreign Affairs. The Ministry of Foreign Affairs may also empower such an authority to award visas within the ambit of the Ministry's responsibilities.

## **Emergency visas**

### **Sec. 3**

If an alien who is obliged to hold a valid visa arrives in Sweden without such a visa, the Swedish Immigration Board may grant the alien a visa for a period not exceeding fourteen days (emergency visa - "nödfallsvisering") if there are special grounds for so doing.

Emergency visas may be issued by a police authority authorised by the Swedish Immigration Board.

## **Seamen's visas**

### **Sec. 4**

A police authority may grant a visa for a period not exceeding fourteen days (seaman's visa - "sjömansvisering") to an alien who

1. has arrived in Sweden as a master or crew member of a ship and has been signed off in this country or leaves the ship, irrespective of whether he has been signed off or not, in order to return to his home country, or
2. otherwise arrives in the country in order to join, whether in Sweden or in some other state, a ship of which he is master or crew member, or in order to return to his home country from such a ship in some other state, always provided that the alien's passport shows that the state issuing the passport has assured him of the right to enter that state.

A police authority in doubt as to whether a seaman's visa should be granted or not shall apply to the Swedish Immigration Board for instructions.

## **Joint visas**

### **Sec. 5**

A visa may be issued to several aliens jointly if there is special grounds for so doing.

## **Duration of visas in certain cases**

### **Sec. 6**

A visa other than an emergency visa may not be granted beyond the duration of an alien's passport unless there are special grounds for so doing.

## **Visa certificate**

### **Sec. 7**

A visa certificate is to be entered in the alien's passport or some other document.

## **Diplomatic staff etc.**

### **Sec. 8**

The visa provisions of Chap. 1, Section 3 of the Aliens Act (1989:529) and the provisions of this Chapter shall where relevant also apply to diplomatic officials employed by foreign powers in Sweden and to paid consular officials as well as their families and servants, and also with regard to couriers of foreign powers.

## **Sec. 9**

In the case of persons referred to in Chap. 12, Section 2 of the Aliens Act (1989:529), a visa may be awarded for a stay in Sweden of more than three months.

## **CHAPTER 3 - PROVISIONS CONCERNING RESIDENCE PERMITS**

### **Calculation of the period for which no residence permit is required**

#### **Sec. 1**

The three-month period during which, under Chap. 1, Section 4 of the Aliens Act (1989:529), an alien does not need to have a residence permit while staying in Sweden (the residence permit-exempt period) is computed from the time when the alien entered Sweden or another Nordic country from a country outside the Nordic area. If the alien is visa-exempt in Sweden and holds a residence permit for another Nordic country, however, he may, during the term of the permit, stay in Sweden for a period of three months without holding a residence permit for this country.

#### **Sec. 2**

If at any time an alien has stayed in a Nordic country within a period of six months immediately preceding his arrival in Sweden or any other Nordic country, the duration of that stay is to be included in the residence permit-exempt period.

### **Special authorisations**

#### **Sec. 3**

A police authority may grant a residence permit for up to three years, to the extent determined by the Swedish Immigration Board after consulting the National Police Board.

#### **Sec. 3a**

A Swedish diplomatic mission or consulate may award residence permits for up to three years, to the extent determined by the Swedish Immigration Board after consulting the Ministry of Foreign Affairs.

### **Residence permits for studies in certain cases**

#### **Sec. 4**

An alien who has been accepted for preparatory studies referred to in Section I of the Preparatory Studies (Swedish and Subsequent Basic Higher Education) Ordinance (1985:681) shall, failing special grounds to the contrary, be awarded a residence permit for the duration of his studies. The same applies to an alien who has been accepted for basic higher education without first having to complete preparatory studies, and to an alien eligible for admission to post-graduate studies.

Subsection one, however, shall only apply if the alien's livelihood for the duration of his studies is guaranteed through his own resources, through a scholarship or by some other similar means.

## **Duration of residence permits in certain cases etc.**

### **Sec. 5**

Fixed-term residence permits may not be awarded for a period exceeding the validity of the alien's passport. If the passport consists of an identity card as referred to in Chap. 1, Section 6, a residence permit may only be awarded if the alien is prevented from leaving Sweden by illness or some other special cause.

## **Joint fixed-term residence permits**

### **Sec. 6**

Joint fixed-term residence permits may be awarded to persons entered in a joint passport.

## **Residence permit applications**

### **Sec. 7**

A residence permit application by an alien who is not in Sweden is to be submitted to a Swedish delegation or consulate in his country of origin or in the country where he is otherwise domiciled.

An application by an alien in Sweden is to be submitted to the police authority in the police district where the alien has his principal abode.

The Swedish Immigration Board may prescribe that residence permit applications may be submitted to an authority other than the aforementioned.

The Swedish Immigration Board may prescribe, after consulting the National Police Board, that residence permit applications made on grounds referred to in Chap. 3, Section 1 of the Aliens Act (1989:529) may only be submitted to certain specified police authorities.

## **Residence permit certificates**

### **Sec. 8**

A residence permit certificate is to be entered into the alien's passport or some other document.

## **CHAPTER 4 - PROVISIONS CONCERNING WORK PERMITS**

### **Exceptions to the stipulation of work permits**

#### **Sec. 1**

In addition to the provisions of Chap. 1, Section 5 of the Aliens Act (1989:529), an alien who, having been hired abroad, is working in Sweden as the representative of a company or as a member of the personnel of a railway train or a lorry used commercially is exempt from the stipulations of a work permit.



## **Sec. 2**

Exemption from the stipulation of a work permit also applies in the following cases.

1. For a period of three months from entry for hiring as the driver of a motor vehicle owned or hired by a person visiting Sweden as a tourist, or as a member of the crew of a tourist bus.
2. For a period of three months from entry for hiring as the attendant of a person visiting Sweden for medical care or recreation.
3. For a period of three months from entry as a scientist invited here to teach or lecture.
4. For a period of two months from entry, in the case of a fitter or technical instructor who is to carry out urgent work in connection with the assembly or repair of machinery or such like.
5. For the period between 15th May and 15th September, for an alien awarded a work permit under Chap. 3, Section 4.
6. For a period of one month after entry, for an alien hired temporarily by Sveriges Radio AB, Sveriges Television AB, Sveriges Utbildningsradio AB or Nordisk Television AB for radio or television broadcasting.

## **Sec. 3**

A person who has held a work permit for a period of at least six months and who, while the permit is still valid, applies for an extension need not hold a work permit for the period pending the decision of the permit question or, if an expulsion order has been made, until the expulsion order has acquired force of law.

If an alien's work permit has been revoked and at the same time an expulsion order has been made under Chap. 4, Section 3 of the Aliens Act (1989:529), the alien is exempt from the stipulation of a work permit until the expulsion order has acquired force of law.

### **Sec. 3a**

A person who has applied in this country for a residence permit, pleading grounds as referred to in Chap. 3, Section 1 of the Aliens Act (1989:529), is exempt from the stipulation of a work permit in cases where the Swedish Immigration Board believes that it will not be able to determine the case within four months of the application being made. This exemption applies until a decision in the matter has acquired force of law.

The Swedish Immigration Board issues a special certificate of exemption from the stipulation of a work permit.

## **Special authorisation**

### **Sec. 4**

A police authority may issue work permits to the extent determined by the Swedish Immigration Board after consulting the National Labour Market Board and the National Police Board.

### **Sec. 4a**

A Swedish diplomatic mission or consulate may award work permits to the extent determined by the Swedish Immigration Board after consulting the National Labour Market Board and the Ministry of Foreign Affairs.

## **Sec. 5**

The National Labour Market Board and the county labour board may decide matters relating to work permits to the extent determined by the Swedish Immigration Board after consulting the National Labour Market Board.

## **Guidelines for the assessment of permit cases**

### **Sec. 6**

The National Labour Market Board is to decide on guidelines for the assessment of cases relating to work permits. Associations of employers and employees respectively are to be given the opportunity of a hearing before guidelines are issued.

## **Consultation in certain cases**

### **Sec. 7**

In a case relating to a work permit, the Swedish Immigration Board shall consult the county labour board, unless the application is to be rejected.

Consultation as provided in subsection one shall be deemed to have occurred if, when examining an application for a work permit, the Swedish Immigration Board follows the guidelines issued by the National Labour Market Board in accordance with Section 6.

If the Swedish Immigration Board has consulted a county labour board as provided in subsection one and if the case involves a question of principle or is otherwise of major importance, the county labour board is to give associations of employers and employees respectively in the field of activities to which the permit refers the opportunity of a hearing.

## **Decisions without prior consultation**

### **Sec. 8**

The Swedish Immigration Board, acting without consultation as provided in Section 7, may issue work permits

1. for up to one month to professional artists or professional sportsmen visiting this country in order to take part in performances or sporting events,
2. if there are special grounds, in view of the length of time for which the alien has resided here, his personal circumstances and circumstances generally.

## **Duration of work permits in certain cases etc.**

### **Sec. 9**

A work permit may not be granted for a period exceeding the term of validity of the alien's passport or

for a period exceeding that for which the alien has permission to stay in Sweden or is allowed to stay in Sweden without a permit. Nor may a work permit be issued to an alien holding only an identity card as referred to in Chap. 1, Section 6.

## **Work permit applications**

### **Sec. 10**

A work permit application by an alien who is not in Sweden is to be submitted to a Swedish delegation or consulate in his country of origin or in the country where he is otherwise domiciled.

An application by an alien in Sweden is to be submitted to the police authority or county labour board in the police district or county, respectively, where the alien has his principal abode.

The Swedish Immigration Board may prescribe that work permit applications may be submitted to an authority other than the aforementioned.

## **Work permit certificates**

### **Sec. 11**

A work permit certificate is to be entered into the alien's passport or some other document.

## **Diplomatic staff etc.**

### **Sec. 12**

The provisions concerning the stipulation of work permits in Chap. 1, Section 5 of the Aliens Act (1989:529) and the provisions of this Chapter shall also, where relevant, apply to diplomatic officials and paid consular officials employed by foreign powers in Sweden, together with their families and servants.

The stipulation of work permits, however, does not apply to hiring by diplomatic missions or consulates of foreign powers or when overridden by an agreement with some other country.

## **CHAPTER 5 - CONTROLS AND COERCIVE MEASURES**

### **Entry and departure**

#### **Sec. 1**

An alien may not, without permission from the Swedish Immigration Board, a county administrative board or a police authority, enter or leave Sweden except via places where passport controls are established (passport control stations *passkontrollorter*").

The preceding subsection shall not apply to an alien entering directly from or departing directly for any other Nordic country.

#### **Sec. 2**

No alien may enter Sweden from Denmark, Finland, Iceland or Norway, or depart for any of these countries, except through a passport control station or through such other place as has been prescribed

by the National Police Board in consultation with the Board of Customs, the Swedish Immigration Board and the county administrative board (frontier passage point - gränsövergångsställe). If permission has been given by either a police or a customs authority, an alien may also enter from or depart for Denmark, Finland or Norway via other places.

### **Sec. 3**

Passport control stations are established at Arlanda, Borlänge, Gävle, Göteborg, Halmstad, Helsingborg, Härnösand, Jönköping, Kalmar, Karlshamn, Karlskrona, Karlstad, Kristianstad, Landskrona, Landvetter, Lidköping, Linköping, Luleå, Lysekil, Malmö, Marstrand, Mora, Norrköping, Nynäshamn, Oxelösund, Ronneby, Sandhamn, Simrishamn, Slite, Stockholm, Strömstad, Sundsvall, Säffle, Söderköping, Södertälje, Trelleborg, Trollhättan, Uddevalla, Umeå, Visby, Västerås, Växjö, Ystad, Örebro, Örnsköldsvik and Östersund.

The National Police Board, acting in consultation with the Swedish Immigration Board, may also designate other passport control stations.

## **Inspection of passport documents on entry and departure**

### **Sec. 4**

An alien arriving in Sweden from a country outside the Nordic area must show his passport to the police authority at the place of arrival. The police authority shall make a note in the passport of the date on which the alien entered Sweden. No such note, however, concerning the date of entry is to be made on an identity card as referred to in Chap. 1, Section 6. The National Police Board may prescribe that no note need be made in the passport of a Danish, Finnish, Icelandic or Norwegian citizen.

An alien who is obliged to hold a visa in order to enter Sweden or any other Nordic country shall, on arrival here from a country outside the Nordic area, furnish particulars about himself by completing a form (check card - "kontrollkort"), unless the Swedish Immigration Board prescribes otherwise.

An alien who, not being a citizen of Denmark, Finland, Iceland or Norway, was expelled from Sweden and forbidden to return but has since been granted special permission to do so, shall furnish particulars about himself in accordance with subsection two of this Section when entering Sweden from a country outside the Nordic area.

### **Sec. 5**

An alien, not being a citizen of any other Nordic country and entering Sweden direct from any of these countries, shall produce his passport when so requested by a police authority.

### **Sec. 6**

The provisions of Sections 4 and 5 also apply when entry controls are administered with the assistance of the customs authority, Coast Guard Service or a specially appointed passport control officer.

If an alien coming to this country cannot substantiate his right entry, the customs authority, Coast Guard Service or passport control officer shall immediately notify the police authority and ensure that the alien does not enter the country before his passport has been checked by the police authority.

### **Sec. 7**

The police authority may require an alien leaving this country to produce his passport when this is necessary for the prevention or prosecution of crime or otherwise for the maintenance of public order and safety, and in other respects insofar as it is necessary for the exercise of the control of aliens as prescribed in the Aliens Act (1989:529).

Subsection one of this Section shall not apply to citizens of Denmark, Finland, Iceland or Norway proceeding direct to one of these countries.

## **Special provisions concerning entry by ship**

### **Sec. 8**

It is the duty of the master of any ship arriving in Sweden from abroad

1. to hand over to the customs authority, immediately after the ship's arrival, a written return of the number of passengers, members of the crew and stowaways;
2. to furnish the police authority with returns of passengers and members of the crew (passagerarlista and besättningslista), giving in respect of each passenger his full name and citizenship, as well the port of embarkation, and in respect of each member of the crew his full name, date of birth, citizenship and the capacity in which he is serving on board;
3. to notify the police authority before an alien member of the crew, not being a citizen of Denmark, Finland, Iceland or Norway is signed off in Sweden, and
4. to notify the police authority immediately when an alien member of the crew has deserted or failed to return to the ship.

### **Sec. 9**

In respect of ships plying international routes, the customs authority shall

1. as soon as possible after learning that such a ship has arrived in the country, notify the police authority to this effect;
2. promptly furnish the police authority with particulars as referred to in Section 8, paragraph 1.

### **Sec. 10**

The provisions of Section 8, paragraphs 1 and 2, shall not apply to passenger ships plying regular routes with established timetables, nor to warships or any other state-owned ships employed exclusively by the Swedish Government for customs, pilotage or police duties.

The provisions of Section 8, paragraph 3, do not apply to catering personnel referred to in Section 6 of the Registration of Seamen Act (1983:929).

## **Detention**

### **Sec. 11**

Detention orders concerning aliens are to be enforced by the police authority.

### **Sec. 12**

An alien who is detained and is under the age of 16 may not be taken to a prison, remand centre or police cell.

### **Sec. 13**

The relevant provisions of the Act (1976:371) and Ordinance (1976:376) on the Treatment of Detained and Arrested Persons also apply to aliens in detention. The National Prisons and Probation Administration or, if the alien is confined to a police cell not adjoining a remand centre, the police authority shall in addition allow the alien such concessions and privileges as are permissible with due regard to order and safety within the prison, remand centre or police cells. The police authority shall have corresponding powers if the alien has been taken into custody in some other way.

## **CHAPTER 6 - DUTY OF NOTIFICATION UNDER ALIENS LEGISLATION**

### **Notification of the presence etc. of aliens in Sweden**

#### **Sec. 1**

In the cases enumerated in Section 2, notice of the full names, birth dates, citizenship and residential addresses of aliens in this country is to be given to the police authority of the police district where the alien is a resident or has his principal abode. This duty of notification does not apply concerning a person who holds or establishes that he has applied for a Swedish residence permit or who is exempted from the requirement of a residence permit.

#### **Sec. 2**

Notification as provided in Section 1 is to be effected by:

1. the tax authority, when the alien first
  - a. reports for civil registration in this country or is to be registered without reporting personally,
  - b. applies for a tax card and cannot establish that he holds a work permit or permanent residence permit,
2. the employment office, when the alien first makes himself known to the office in order to register or otherwise enlist its services,
3. the social welfare committee, when it first takes action in a matter of social services involving the alien,
4. the local education authority, when the alien is first enrolled in compulsory school or, if he has not previously been a compulsory school pupil, is admitted to upper secondary school.

A person making notification as provided in subsection one should instruct the alien to contact the police authority in the matter of a residence or work permit.

On receiving notification as provided in subsection one, the police authority shall ensure that a residence or work permit is applied for or else take such other measures as the notification may occasion.

### **Duty of information incumbent on the police authority**

### **Sec. 3**

The police authority shall immediately notify the Swedish Immigration Board if a question of refusal-of-entry has arisen which is to be examined by the Swedish Immigration Board under Chap. 4, Section 4 of the Aliens Act (1 989:529), or a question of expulsion under Chap. 4, Section 3 of the said Act.

### **Sec. 4**

On a police authority having made a refusal-of-entry order, the Swedish Immigration Board is to be notified accordingly.

On a police authority having enforced a refusal-of-entry order or an expulsion order under Chap. 4, Section 3 of the Aliens Act (1989:529), the Swedish Immigration Board is to be notified immediately. If the order was combined with an order forbidding the alien to return to Sweden, the police authority shall also notify the National Police Board and, if the order concerns a registered resident of Sweden the tax authority of the county where that person is registered.

A police authority having enforced an expulsion order under Chap. 4, section 7 of the Aliens Act, shall notify the National Police Board, the Swedish Immigration Board and, if the order concerns a registered resident of Sweden the tax authority of the county where that person is registered.

## **Notification duties of the Swedish Immigration Board and the Aliens Board**

### **Sec. 5**

On the Swedish Immigration Board having made a refusal-of-entry order under Chap. 8, Section 8 of the Aliens Act (1989:529), the executive police authority is to be informed immediately of the content of the order.

A refusal-of-entry or expulsion order which has been made by the Swedish Immigration Board and has acquired force of law or which has been issued by the Aliens Board shall as soon as possible be transmitted for enforcement to the police authority of the police district where the alien is a resident or has his principal abode.

### **Sec. 6**

On the Swedish Immigration Board or the Aliens Board cancelling a refusal-of-entry or expulsion order or inhibiting such an order, the executive police authority is to be notified immediately of the measure thus taken.

## **Notification duties of common courts etc.**

### **Sec. 7**

A common court having ordered that an alien be remanded in custody shall notify the Swedish Immigration Board accordingly. In the case of citizens of Denmark, Finland, Iceland or Norway, the Swedish Immigration Board is to notify the central aliens authority of the detainee's country of origin.

### **Sec. 8**

If the question arises of an alien being expelled under Chap. 4, Section 7 of the Aliens Act

(1989:529), the court is to obtain a statement from the Swedish Immigration Board as to whether there is any presumptive impediment to the enforcement of an expulsion.

## **Sec. 9**

Over and above the provisions of the Ordinance (1990:893) concerning Notification of Judgements in Certain Criminal Proceedings Etc., a common court having made a judgement or order for expulsion shall within one week transmit a copy of the judgement or order as follows.

1. One copy is always to be sent to the Swedish Immigration Board.
2. In the case of an alien who is to be committed to prison and who is remanded in custody or otherwise admitted to such an institution, a copy is to be sent to the remand centre or the prison.
3. In the case of an alien who is to be committed to prison and is at large, a copy is to be sent to the National Prisons and Probation Administration.
4. In cases other than those referred to in paragraphs 2 and 3, above, a copy is to be sent to the police authority of the locality where the alien is a resident or has his principal abode.

The duty of notification laid down in this Section also applies to aliens convicted under Chap. 10, Section 4 of the Aliens Act (1989:629).

After the expiry of the period within which an appeal may be lodged against the judgement or order, the court shall immediately inform the bodies receiving copies of the judgement or order pursuant to this Section whether or not an appeal has been lodged.

## **Sec. 10**

If a common court has imposed a special charge under Chap. 10, Section 8 of the Aliens Act (1989:529), the county administrative board of the county where the activities were conducted is to be notified accordingly.

## **Notification duty of the National Prisons and Probation Administration**

## **Sec. 11**

Where a copy of a judgement or order has been sent to a remand centre, a prison or the National Prisons and Probation Administration, the Administration shall ensure that the Swedish Immigration Board and the police authority of the locality in which correctional treatment is taking place are informed of the date when the treatment is expected to end.

In the case of aliens who are citizens of Denmark, Finland, Iceland or Norway, notice must be given to the police authority not less than four weeks before the date when the correctional treatment is expected to be terminated. In the case of other aliens the period is six months. If these periods cannot be complied with, notice is to be given as soon as possible.

If the date or locality of release is altered, the National Prisons and Probation Administration shall ensure that the Swedish Immigration Board and the police authority are notified of the change.

## **Sec. 12**

When an expulsion order under Chap. 4, Section 7 of the Aliens Act (1989:529) has been put into



effect through the transfer of a prison sentence imposed on an alien to Denmark, Finland, Iceland or Norway, the National Prisons and Probation Administration shall ensure that the National Police Board, the National Tax Board, the Swedish Immigration Board and the police authority are notified accordingly.

## **Notice of detention in certain cases**

### **Sec. 13**

If an alien in detention has appealed against the detention order and an order is subsequently made under Chap. 6, Section 6 of the Aliens Act (1989:529) for the continuing detention of the alien or, under Chap. 6, Section 8 of the same Act, cancelling this measure, the authority making the order is immediately to notify the Jönköping Administrative Court of Appeal accordingly.

## **CHAPTER 7 - SPECIAL PROVISIONS**

### **Exceptions to the principle of first country of asylum**

#### **Sec. 1**

An alien shall not be refused entry under Chap. 3, Section 4 (4) of the Aliens Act (1989:529) if:

1. the alien's spouse, child or parent is domiciled in this country and he does not have an equally close kinship tie with the country to which he would be taken if refused entry, or
2. the alien, on account of previous prolonged residence in Sweden with a residence permit, has acquired a special link with this country and does not have any such link, personally or through relatives, with the country to which he would be taken if refused entry.

### **Measures in connection with enforcement of refusal-of-entry or expulsion**

#### **Sec. 2**

If a refusal of entry or expulsion order does not include instructions regarding enforcement or if it is manifest that instructions given in such an order cannot be followed, the executive police authority shall decide how enforcement is to be effected, unless notice is requested under Chap. 8, Section 13 of the Aliens Act (1989:529).

#### **Sec. 3**

The police authority enforcing a refusal-of-entry or expulsion order shall ensure that any current visa certificate and residence or work permit held by the alien is cancelled in connection with the enforcement and that any travel document and alien's passport is returned to the Swedish Immigration Board.

### **Application for special permission for a short visit to Sweden**

#### **Sec. 4**

Any application under Chap. 4, Section 15 of the Aliens Act (1989:529) for special permission to pay a short visit to Sweden must be addressed to the Swedish Immigration Board.

## **Exemption from provisions concerning entry and departure etc.**

### **Sec. 5**

When an alien has arrived in Sweden as a crew member or passenger on board a ship, the provisions of the Aliens Act (1989:529) and of this Ordinance regarding an alien's entry into Sweden shall not come into operation until the alien leaves the ship.

If an alien is signed on in Sweden as a member of the crew of a ship bound for a foreign port, the provisions regarding an alien's departure from Sweden shall come into operation when the alien goes on board the ship. Refusal of entry or expulsion shall not, however, be deemed effected until the ship has left Sweden.

### **Sec. 6**

A foreign crew member may temporarily leave the ship and remain in the locality where the ship is berthed without the provisions of the Aliens Act (1989:529) and this Ordinance concerning passports, visas, residence permits and work permits having to be applied, unless the police authority determines otherwise. If there are exceptional grounds for doing so, the police authority may allow such an alien to pay a brief visit to some other locality in the country. A police authority granting such permission shall ensure that the alien returns to the ship before the permission expires.

The Swedish Immigration Board, or a police authority authorised by the same may, to the extent and on the conditions determined by the Board, permit an alien tourist arriving in Sweden as a passenger on board a ship to leave the ship for a temporary stay in the place at which the ship has called and in the vicinity of the same, without the entry provisions having to be applied.

The place where the ship is berthed or has called shall be equated with the main locality in which the port is situated.

### **Sec. 7**

The provisions of Sections 5 and 6 shall also where relevant apply to the crew of aircraft. The provisions of Section 6 concerning the locality where the ship is berthed shall then refer to the locality where the aircraft has landed.

## **Charges for certain transactions**

### **Sec. 7a**

A charge is made for the consideration of applications under this Ordinance, in the cases shown in subsection three.

If there are special provisions on charges for types of transaction referred to in this Ordinance, those provisions shall apply instead.

Concerning the level etc. of the application charge, the provisions of Sections 9-14 of the Charges Ordinance (1991:191) shall apply, and the following charge classes are to be observed:

Type of transaction Charge class

Issue of alien's passport (Chap. 1, Sec. 11) 2

Extension of the validity of an alien's passport

(Chap. 1, Section 12)<sup>2</sup>

Award of an emergency visa (Chap. 2, Section 3)<sup>2</sup>

Award of a seaman's visa (Chap. 2, Section 4)<sup>1</sup>

No charge is to be made for considering an alien's passport application made by an alien selected by virtue of a special Government resolution or for considering a visa application by such a refugee.

### **Sec. 7b**

A handling charge of SEK 150 is payable for the issue of travel documents and the extension of the validity of travel documents under Chap. 1, Section 10 of this Ordinance.

Decisions concerning charges as referred to in the foregoing may be contested by appeal, subject to the same rules as apply to other decisions relating to travel documents.

## **Financial liability for return journeys in certain cases**

### **Sec. 8**

If it may be presumed that financial liability as provided in Chap. 9, Section 2 of the Aliens Act (1989:529) is to be imposed on a carrier, the police authority of the police district where entry took place is to make the necessary inquiries and state its opinion as to whether financial liability is to be imposed on the carrier. The carrier is to be given the opportunity of making a statement.

Financial liability is to be decided by the police authority enforcing the refusal of entry.

## **Appeal**

### **Sec. 9**

A decision by a police authority under Section 8 concerning financial liability may be contested by appeal to the Administrative Court of Appeal in Jönköping. Other decisions by administrative authorities in the matters coming under this Ordinance are final.

## **Submission of appeal**

### **Sec. 10**

A letter of appeal against a decision by a police authority concerning refusal of entry shall be submitted to the Swedish Immigration Board within three weeks of the day on which the appellant was apprised of the decision. If the letter has arrived too late, it is to be refused by the Swedish Immigration Board. The letter shall not be refused, however, if the delay is due to incorrect information concerning appeal procedure. Nor shall the letter be refused if it was received by a police authority within the period allowed for appeal.

## **Enforcement regulations**

### **Sec. 11**

Regulations concerning enforcement of this Ordinance are issued, with regard to:

1. passports, travel documents and check cards, by the Swedish Immigration Board,
2. work permits, by the Swedish Immigration Board after consulting the National Labour Market Board, the National Police Board and the Ministry of Foreign Affairs,
3. matters relating to visas or residence permits and handled by the Ministry of Foreign Affairs, by the Ministry,
4. other permit questions by the Swedish Immigration Board, after consulting the National Police Board or, as regards the handling of such matters by Swedish diplomatic missions abroad, after consulting the Ministry of Foreign Affairs,
5. entry and departure controls and the duties of police authorities in cases other than those referred to in paragraphs 1-4, by the National Police Board, after consulting the Swedish Immigration Board,
6. the obligations of the customs authority, by the National Police Board, after consulting the Board of Customs,
7. the duties of the Coast Guard Service, by the National Police Board, after consulting the Coast Guard Service,
8. notification under Chap. 6, Section 1, by the National Police Board.

## **Interim provisions**

### **1989:547**

1. Chap. 4, Sections 6-8 of this Ordinance enter into force on 1st September 1989, the remaining provisions on 1st July 1989.

2. The following are repeated through this Ordinance:

-Sections 49, 55 and 56 of the Aliens Ordinance (1980:377) on 1st September 1989, other provisions on 1st July 1989.

-The Ordinance (1945:105) containing certain provisions on refusal of entry and removal pursuant to the Aliens Act. - The Ordinance (1950:653) concerning Extensions in Certain Cases of the Length of Time for which Aliens May Remain in Sweden Without Residence Permits.

-The Travel Documents (Certain Refugees) Ordinance (1955:29).

-The Ordinance (1962:22) concerning Travel Documents for Certain Refugees, Being Seafarers.

-The Travel Documents (Certain Stateless Persons) Ordinance (1965:273).

3. Earlier provisions are still to apply in cases of refusal of entry or expulsion on grounds other than criminal offences and in cases concerning the enforcement of refusal-of-entry or expulsion orders made pursuant to the Aliens Act (1980:376).

4. Where references are made in statutes or regulations to provisions superseded by provisions of this Ordinance, the new provisions shall apply.

### **1992:581**

1. This Ordinance enters into force on 1st July 1992.

2. The provisions of Chap.4, Section 3a (1) shall not be implemented for persons who applied for residence permits before 1st July 1992.

3. A person who applied in this country for a residence permit before 1st July 1992 and in doing so pleaded grounds referred to in Chap.3, Section 1 of the Aliens Act is exempted from the stipulation of a work permit if he has an offer of employment and the National Immigration Board has not made a decision in the case prior to this Ordinance entering into force. The National Immigration Board shall, upon being requested to do so by the alien, issue a certificate showing that he does not need to have a work permit. Exemption from the stipulation of a work permit shall apply until a decision in the case has acquired force of law. (Ordinance 1992:581)

## Search Refworld

by keyword

and / or country

[Advanced Search](#) | [Search Tips](#)

## Countries

- [Sweden](#)

## Topics

- [Aliens](#)
- [Immigration law](#)