

[Translation from Swedish into English]

The Electricity Act (1997:857)

SFS no.: 1997:857

Department/Authority: Ministry of Enterprise, Energy and Communications

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Chapter 1 Introductory provisions

Scope of the Act

Section 1 This Act provides regulations concerning power installations, concerning trade in electrical power in certain cases and concerning electrical safety.

Definitions

Section 2 In this Act, power installation means an installation including the special components for the generation, transmission and use of electricity.

If different parts of one and the same installation have different owners, each such part is deemed to be a separate installation. If an installation for the use of electrical power is connected to one or more other such installations and if the installations are in the possession of the same owner, the installations shall be deemed to be one and the same installation.

Section 3 Power installations are categorised having regard to the level of danger in heavy-current installations and weak-current installations.

More detailed provisions concerning this categorisation shall be made by the Government or the authority appointed by the Government.

Section 4 Network operation means making electrical heavy-current cables available for transmission of electrical power. Network operation also includes planning and design, building and maintenance of cables, switchgear and transformer stations, connection of power installations, metering and computation of capacity and energy transmitted and also other operations that are necessary to transmit electrical power within the electricity network.

Connection of power installations also means the reconnection of an existing installation and increasing the agreed capacity of an infeed point or outtake point.

Section 4a Repealed by Act 2008:265.

Section 4b Repealed by Act 2008:265.

Section 5 Network tariff means charges and other conditions for transmission of electrical power and for connection to a cable or a cable network.

Section 6 Electricity supplier means a party that professionally supplies electrical power that has been generated by himself or another.

Electricity consumers who import electrical power shall fulfil the obligations imposed upon electricity suppliers.

The Government may prescribe exemptions from the first paragraph for operations within a building or a limited area.

Section 7 The Government shall appoint an authority that shall deal with those matters that, according to this Act or according to regulations that have been made under this Act, are imposed on the network authority.

Chapter 2 Network concession, etc.

General provisions on network concessions

Section 1 An electrical heavy-current cable may not be built or used without a licence (network concession) from the Government. The building of a cable also includes excavation, logging or similar measures to prepare a site for the cable.

The Government may authorise the network authority to consider matters concerning network concessions that do not relate to an interstate line.

Section 2 A network concession shall relate to a cable with a basically fixed route (line network concession) or a cable network within a particular area (area network concession).

In a decision concerning an area network concession, the highest permitted voltage for the cable network shall be stated.

Section 3 A transformer station or a switching station that is to be connected to one or more new cables for which a line network concession is required may not start to be built before the network concession has been granted for the building of at least one of the new cables.

Section 4 The Government may prescribe exemptions from the requirement for a network concession under Section 1 and the prohibition to start building under Section 3 as regards certain kinds of cables or stations or as regards cables or stations within certain areas.

However, such a regulation may not relate to interstate lines.

The Government or, following authorisation by the Government, the network authority may in an individual case grant an exemption from the requirement for a network concession under Section 1. Exemptions may be granted only for cables that were in use on 1 January 1998. Exemptions shall be granted for a fixed period, which may be extended.

The Government or, following authorisation by the Government, the network authority may in an individual case issue a binding notice concerning whether one or more electrical heavy-current cables are subject to regulations concerning exemptions from the requirement for a network concession.

Applications for a binding notice may also be made by the holder of a network concession for the area where the cable or cables are located.

Section 5 The Government or, following authorisation by the Government, the network authority may, if there are special reasons to do so, give notice that an electrical heavy-current cable may be built before the necessary network concession has been granted or that a transformer station or switching station may be built notwithstanding the provisions of Section 3. When such a cable is ready to be put into use, the Government or, following authorisation by the Government, the network authority may allow the cable to be used until further notice for at most three years pending the application for a network concession being finally determined.

Preconditions for granting network concessions

Section 6 A network concession may only be granted if the plant is appropriate from the public perspective.

Section 7 A line network concession may only be granted if there are special reasons for a cable that is intended for voltage that does not exceed the highest permitted voltage for the areas with network concessions that are affected by the cable.

Section 8 A line network concession may not violate a detailed plan or area regulations. However, if the purpose of the plan or regulations is not counteracted, minor deviations may be made.

Section 8 a When considering matters concerning the grant of a line network concession, the provisions of Chapters 2 to 4, Chapter 5, Section 3 and Chapter 16, Section 5 of the Environment Code shall be applied.

An environmental impact statement shall form part of an application for a line network concession. As regards procedure, Chapter 6 of the Environment Code applies to the requirements for an environmental impact statement and plans and the planning documentation.

Section 9 An area network concession may only be granted if the area constitutes an appropriate unit having regard to the network operation. A network concession may not be granted for an area that completely or partially corresponds to another concession area.

Section 10 A network concession may only be granted to a party that, from the public perspective, is suitable to engage in network operations. An area network concession may only be granted to a party that is also suitable to conduct network operations within the area requested.

A network concession for an interstate line may only be granted and held by a party that holds a network concession for the national grid or the larger part thereof or a legal person over which the party has a controlling influence. However, a network concession may also be granted to others if the cable is of minor importance for the overall transmission network to abroad.

Conditions for a network concession

Section 11 A network concession shall be combined with such conditions as are necessary to protect public interests and private rights and also such conditions for the design and use of the plant as are necessary for reasons of safety or to otherwise protect human health and the environment against damage and inconvenience and promote long-term efficient management of land and water and other resources or which for other reasons are necessary from the public perspective.

Section 11 a A network concession may, in order to be valid, be made dependent on the party holding the concession providing security for the costs of removing the cable and associated plants and to implement other measures for reinstatement. The State, municipalities, county councils and local authority federations do not need to provide security.

If it may be assumed that the security provided is no longer sufficient, the Government or, following authorisation by the Government, the network authority can decide on further security.

Chapter 2, Section 25 of the Enforcement Code applies regarding the nature of the security. The security shall be considered by the authority that considers the matter of the network concession and be kept by the County Administrative Board.

Section 12 The limits of an area network concession may be altered by the network authority, if this is necessary for efficient network operation and this can be done without extraordinary inconvenience for the concessionaire.

The term of a network concession

Section 13 A network concession shall be issued for forty years, if it relates to a line, and for twenty-five years if it relates to an area. However, the term may be shorter if there are special reasons or if requested by the applicant.

The term of a network concession issued as a result of a network concession being revoked under Section 18, first paragraph, item 2 or 3 may not extend the term of the revoked network concession.

Extension of term

Section 14 The term of a network concession may, upon the application of the concessionaire, be extended by forty years at a time, provided the network concession relates to a line, and by twenty-five years at a time if it relates to an area. If there are special reasons or if the applicant so requests, a shorter term may be determined.

Section 2, second paragraph and Sections 6 to 11 shall apply to matters relating to the extension of the term.

An application for an extension of the term shall be made no later than two years prior to the expiry of the term of the concession. The network concession applies until the application has been finally considered.

If there are special reasons, the term of a network concession may be extended even if the term has not expired.

Section 15 Provided there are special reasons, the term of a network concession may be extended temporarily on unchanged conditions, upon the application of the concessionaire. A temporary extension may be granted for at most five years.

A matter according to the first paragraph may be determined without any party other than the applicant being given an opportunity to state their views.

Assignment and cessation of a network concession

Section 16 A network concession may not be assigned without the permission of the Government. The Government may authorise the network authority to consider matters relating to assignment of network concessions that do not relate to an interstate line.

When considering an application for assignment of a network concession, Section 10 shall be applied. The same shall apply when considering an application for a network concession as a result of a network concession being revoked under Section 18, first paragraph, item 2 or 3.

Section 17 A concessionaire may temporarily take a cable that is subject to a line network concession out of use. However, the cable may not be out of use for a longer time than of in total three years without the permission of the Government. The Government may authorise the network authority to consider matters relating to permission to temporarily take a cable out of use if the cable no longer comprises an interstate line.

Permission in accordance with the first paragraph may not be granted if it is inappropriate from the electricity supply perspective. Permission shall be granted for a fixed term.

Section 18 A network concession shall be revoked entirely or partially,

1. if a cable or a cable network is no longer required for safe electricity supply,
2. if the State, pursuant to Chapter 1, Section 5 of the Special Management of Certain Power Installations Act (2004:875), buys up the cables covered by the network concession, or
3. if the concessionaire no longer satisfies the conditions according to Section 10, second paragraph, first sentence, to hold a network concession.

Matters relating to the revocation of a network concession shall be considered by the network authority. However, if the network concession relates to an interstate line, the matter of revocation shall be determined by the Government.

Section 19 If a network concession ceases to apply, the party that most recently held the network concession is liable to remove the cable and associated installations and implement other measures for reinstatement, if this is necessary from the public or private perspective.

In conjunction with the cessation of a network concession, the network authority shall determine the obligations of the concessionaire under the first paragraph.

If the party that most recently held the network concession does not satisfy their obligations according to the first paragraph, the network authority may order them, subject to a default fine, to satisfy these obligations or decide that the measures shall be implemented at

the expense of the concessionaire. A decision that the measures shall be implemented at the expense of the concessionaire may be enforced.

Section 20 If an electrical heavy-current cable has been built without a network concession, where such is necessary, the network authority may order the cable owner to remove the cable and associated installations and implement other measures for reinstatement, if this is necessary from the public or private perspective.

If the owner of the cable does not satisfy their obligations according to the first paragraph, the network authority may order them, subject to a default fine, to satisfy these obligations or decide that the measures shall be implemented at the expense of the concessionaire. A decision that the measures shall be implemented at the expense of the concessionaire may be enforced.

Section 21 If land belonging to another needs to be used for such measures of reinstatement as are referred to in Section 19 or 20, the network authority may decide that access to the land shall be granted for a fixed term.

The reinstatement measures shall be performed so that the least damage and intrusion is caused. Buildings may be erected or roads built only if the landowner and the party that has the right to use or a servitude regarding the land consents to this or the network authority has given permission for the measure. The permission may only be granted if the measure is unavoidably necessary to be able to implement the reinstatement measures.

If the reinstatement measures cause damage or intrusion, compensation shall be paid for this. Actions concerning compensation shall be instituted at the Real Property Court within whose district the land or the larger part of it lies.

Moving of cables in certain cases

Section 22 The owner of an electrical cable that has been drawn within the area of an existing public road, private road that is kept open for traffic, railway, underground or tramline or canal or other such waterway (arterial road) is liable, in the event of a change to the arterial road, to implement the measures with the cable that are necessary to enable the change of the arterial road to be implemented. The cable owner shall be responsible for the costs of these measures.

Section 23 If the purpose of a cable is to transmit electrical power for illumination of a public road, the road manager shall compensate the cable owner for the costs referred to in Section 22. If the cable also serves other purposes, compensation shall be determined according to what is reasonable considering the circumstances.

If, in those cases referred to in Section 22, measures have been implemented for the cable where this crosses an arterial road, the party managing the arterial road shall compensate the cable owner for the costs of other measures than moving of posts, braces or similar equipment within the area of the arterial road.

Section 24 If a cable that has been drawn within an area of an existing arterial road results in increased costs for the maintenance of the arterial road, the cable owner shall compensate these increased costs.

Section 25 If work on a cable that is located within an area of another arterial road than a public road can have an impact on traffic safety or if the work involves substantial intrusion to the arterial road, it shall be performed according to the instructions of the party managing the arterial road or through their agency. The cable owner is responsible for the costs of the work, unless otherwise prescribed by Section 23.

Special provisions apply regarding work with cables within the area of a public road.

Section 26 The owner of a heavy-current cable within a railway area shall compensate the cost and damage that may be caused to the railway undertaking through the cable being drawn, used or maintained.

Chapter 3 Network operation, etc.

Introductory provisions

Section 1 An undertaking that conducts a network operation is responsible for operating and maintaining and, when required, extending its cable networks and, when appropriate, their connection to other cable networks. The undertaking is also responsible for ensuring that its cable networks are safe, reliable and efficient and for then satisfying reasonable requirements for the transmission of electrical power in the long-term.

Limitation of network operation

Section 1 A legal person who conducts a network operation may not conduct the generation of or trade in electrical power.

Notwithstanding the first paragraph, generation of electrical power may be conducted together with network operations by the same legal person, provided the generation

1. is exclusively intended to cover network losses, or
2. is conducted temporarily with the aim of replacing a shortfall in electricity in conjunction with a power outage.

Section 1b A member of the board, managing director or authorised signatory of an undertaking that conducts a network operation that forms part of a group whose total electricity network has at least 100 000 electricity consumers may not at the same time be a member of the board, managing director or authorised signatory of an undertaking that conducts the generation of or trade in electrical power.

When applying the first paragraph, 'an electricity consumer' shall be deemed to mean a party that, according to a contract with the party conducting the network operation, withdraws electrical power from the electricity network at one or more outtake points.

Accounting of network operation

Section 2 Financial accounts related to a network operation shall be kept separately from other operations.

Section 3 Accounts for a network operation based on an area network concession shall relate to each area separately. However, the network authority may decide that all areas of a network concessionaire that are in territorial proximity to each other shall be accounted for jointly, unless the areas together comprise an inappropriate unit for a network operation.

A decision on whether matters concerning areas referred to in the first paragraph shall be subject to joint accounting shall be made when there is a decision that has entered into final legal force concerning the grant of a network concession in accordance with Chapter 2, Section 1, concerning the change of boundaries for an area network concession in accordance with Chapter 2, Section 12, concerning an extension of the term of a network concession in accordance with Chapter 2, Section 14, concerning permission to assign a network concession in accordance with Chapter 2, Section 16 or concerning the revocation of a network concession in accordance with Chapter 2, Section 18. Such a decision may also be made when other changed circumstances give cause to do so.

In a decision for joint accounting or change of such a decision, it shall be stated when the joint accounting shall commence or cease.

In areas that are accounted for jointly, a uniform network tariff shall be applied from the date determined by the network authority. This time may not be set at a point later than five years from the decision for joint accounting or the decision to change to such a decision.

An area network concession shall be accounted for separately from a line network concession. The Government may prescribe exemptions regarding cables that are subject to a line network concession and which are organisationally and technically included in a network that is subject to an area network concession.

Section 4 The Government or, following authorisation by the Government, the network authority may make further regulations concerning accounting of network operation.

Audit

Section 5 An auditor for the party conducting network operations shall conduct a special examination of the accounts for these operations.

The auditor shall annually by a special certificate express an opinion on the matter of whether the network operation accounts were kept in accordance with the applicable provisions. The certificate shall be submitted to the network authority by the undertaking.

The Government may issue more detailed regulations concerning the audit of network operations.

Obligation to connect an installation

Section 6 A party holding a line network concession is, unless there are special reasons, under an obligation to connect on reasonable terms a power installation to the cable.

Disputes concerning the concessionaire's obligations under the first paragraph shall be considered by the network authority. Decisions on such matters shall be made within two months from the date on which the application has been received by the network authority. If the authority needs further time to determine the matter, the network authority may extend this period by two months or, provided the applicant consents, by such further time as may be necessary to enable the determination of the matter.

A decision made by the network authority according to the second paragraph applies immediately.

A dispute concerning the conditions for a connection shall not be considered if it is shown that the application for consideration was received by the network authority later than two years after when the network concessionaire submitted a written statement of position to the party affected to their last known address.

Section 7 A party holding an area network concession is, unless there are special reasons, under an obligation to connect on reasonable terms a power installation within the area to the cable network.

Disputes concerning the concessionaire's obligations under the first paragraph shall be considered by the network authority. Decisions on such matters shall be made within two months from the date on which the application has been received by the network authority. If the authority needs further time to determine the matter, the network authority may extend this period by two months or, provided the applicant consents, by such further time as may be necessary to enable the determination of the matter.

A decision made by the network authority according to the second paragraph applies immediately.

A dispute concerning the conditions for a connection shall not be considered if it is shown that the application for consideration was received by the network authority later than two years after when the network concessionaire submitted a written statement of position to the party affected to their last known address.

Section 8 If someone wishes to connect a power installation to a cable that is subject to a line network concession instead of to a cable network that is subject to an area network concession, the party that holds the line network concession may only make the connection with the consent of the party that holds the area network concession.

If such consent is not granted, the network authority, if there are special reasons to do so, may grant permission for the connection.

Obligation to transmit electrical power

Section 9 A party holding a network concession is under an obligation to transmit on reasonable conditions electrical power on behalf of another.

The transmission of electrical power shall be of good quality.

A network concessionaire is under an obligation to remedy deficiencies with the transmission to the extent that the costs to remedy the deficiencies are reasonable in proportion to the inconvenience for the electricity consumers that are associated with the deficiencies.

The Government or the authority appointed by the Government may issue regulations regarding the requirements to be satisfied for the transmission of electrical power to be of good quality.

Section 9a/Enters into force on 1 January 2011

Unless more stringent requirements are prescribed by Section 9, second and third paragraphs or by regulations issued pursuant to Section 9, fourth paragraph, the network concessionaire shall ensure that outages in the transmission of electrical power to an electricity consumer never exceed twenty-four hours.

The first paragraph does not apply if the concessionaire shows that the outage results from an impediment outside the concessionaire's control that the concessionaire could not reasonably have been expected to have anticipated and whose consequences the concessionaire could neither reasonably have avoided nor overcome.

Section 9b The network authority may in an individual case grant a relaxation of the requirements under Section 9a in part of a concessionaire's area if

1. the requirement is unreasonably onerous considering the financial situation of the concessionaire, or
2. there are extraordinary reasons.

A relaxation may be granted for at most three years.

Documentation and information about supplier security

Section 9c A party that conducts a network operation under a line network concession, with a voltage of less than 220 kilovolt, or an area network concession, shall draw up annually

1. a risk and vulnerability analysis regarding the supply security of the electricity network, or
2. an action plan showing how supply security in its own electricity network is to be improved.

This risk and vulnerability analysis and action plan shall be submitted to the authority determined by the Government.

Section 9d A party that conducts a network operation under a line network concession, with a voltage of less than 220 kilovolt, or an area network concession, shall inform electricity consumers about supplier security in the electricity network and of the right to compensation for outages and damages according to Chapters 10 and 11.

Section 9e The Government or the authority appointed by the Government may issue regulations concerning

1. the content and the publication of analyses and action plans under Section 9c,
2. information provided to electricity consumers according to Section 9d, and
3. the obligation to report power outages to the authority determined by the Government.

Obligation to meter and compute electrical power transmitted

Section 10 A party holding a network concession is under an obligation to conduct metering of the quantity of electrical power transmitted and its distribution over time.

If an electricity consumer subscribes to a fuse of at most 63 amperes, the network concessionaire shall instead first preliminarily compute the quantity of electrical power transmitted and its distribution over time (preliminary consumer profile computation), second finally meter the quantity of electrical power transmitted and compute its distribution over time (final consumer profile computation). This does not apply to an electricity consumer that has requested that the quantity of electrical power transmitted and its distribution over time shall be metered.

It is an obligation of the network concessionaire to report the results of the metering and computations referred to in the first and second paragraphs.

More detailed regulations concerning the said obligations shall be made by the Government or the authority appointed by the Government.

Section 10 a Repealed by Act 2003:117.

Costs for metering and computation

Section 11 Electricity consumers who request that their electricity consumption should be metered in another way than in accordance with the regulations made under Section 10, shall be charged by the network concessionaire for the additional costs of this metering and for the reporting of the results of this metering. If the metering of the electricity consumer's consumption thereby requires other metering equipment than is necessary for metering according to the said regulations, the electricity consumer shall be debited with the cost of the meter and associated collection equipment and for its installation at the outtake point.

Other costs for metering than those referred to here may not be debited to individual electricity consumers.

Disputes concerning matters referred to in the first or second paragraph shall be considered by the network authority. However, a dispute shall not be considered if it is shown that the application for consideration was received by the network authority later than two years after when the network concessionaire sent a written statement of position to the party affected to their last known address.

Section 11 a Repealed by Act 2003:117.

Section 12 Repealed by Act 1999:770.

Section 13 Repealed by Act 1999:770.

Section 14 The costs of a meter and associated collection equipment and for its installation at the infeed point with an electricity producer shall be debited to the producer by the network concessionaire. This does not apply to those electricity producers referred to in Chapter 4, Section 10.

Disputes concerning matters referred to in the first paragraph shall be considered by the network authority. However, a dispute shall not be considered if it is shown that the application for consideration was received by the network authority later than two years after when the network concessionaire sent a written statement of position to the party affected to his last known address.

Compensation for infeed of electrical power

Section 15 An owner of a generation installation is entitled to payment by the network concessionaire to whose cable network the installation is connected. The payment shall correspond to

1. the value of the reduction of power losses that the infeed of electrical power from the installation involves for the network concessionaire's cable network, and
2. the value of the reduction of the network concessionaire's charges for having his cable network connected to another network concessionaire's cable network that becomes possible through the installation being connected to the cable network.

The Government may make more detailed regulations concerning the computation of the compensation according to the first paragraph.

Disputes concerning matters referred to in the first paragraph shall be considered by the network authority. However, a dispute shall not be considered if it is shown that the application for consideration was received by the network authority later than two years after when the network concessionaire sent a written statement of position to the party affected to his last known address.

Acquisition of electrical power to cover network losses

Section 16 A party that has a network concession shall acquire the electrical power that is intended to cover network losses in an open, non-discriminatory and market-oriented manner.

Preparing a monitoring plan

Section 17 A party that has a network concession shall prepare a monitoring plan and ensure compliance with this monitoring plan.

The monitoring plan shall state the measures that will be taken to counteract discriminatory practices in relation to other stakeholders in the electricity market. In particular, the plan shall state the special obligations that employees have for achieving this objective.

The concessionaire shall prepare a report annually on the measures taken under the plan. This report shall be publicised and shall also be submitted to the network authority.

The Government or, following authorisation by the Government, the network authority may issue more detailed regulations regarding the content of the monitoring plan and the publication of the annual report.

Chapter 4 Network tariffs

General provisions on network tariffs

Section 1 Network tariffs shall be formulated so that the network concessionaire's aggregate income from the network operation is reasonable in relation to first the objective preconditions for conducting the network operation, second the network concessionaire's manner of conducting the network operation.

Network tariffs shall be objective and non-discriminatory.

When formulating network tariffs for the transmission of electrical power, particular regard shall be taken to the number of connection points, the geographical location of these connection points, the quantity of energy transmitted and the power subscribed for and the costs for overlying networks, as well as the quality of the transmission of electrical power.

When formulating network tariffs for connection to a cable or a cable network, particular regard shall be taken to the geographical location of the connection point and the agreed power at the connection point.

The Government or, following authorisation by the Government, the network authority may issue more detailed regulations on the formulation of the network tariffs.

Section 2 Network tariffs for transmission of electrical power shall be formulated so that the connection charge paid gives a right to use the electricity network within Sweden, except for the interstate lines.

The Government may prescribe that the connection charge paid gives a right also to use the interstate lines to one or more countries. Such a regulation may also relate to the interstate lines to part of a country.

Regulations in accordance with the first paragraph may be made regarding a country or part of a country whose electricity market may be deemed to comprise a common market with the Swedish electricity market.

A contract relating to access to an interstate line and which has been concluded before the Government has made regulations under the second paragraph shall still apply.

Special provisions on area network tariffs

Section 3 Area network tariffs, except one-off connection charges, may not be formulated having regard to where a connection is located within the area.

If one or more areas are combined completely or partially, a uniform network tariff for the new area shall start to apply no later than three years after the amalgamation.

Section 4 When assessing the reasonableness of a network tariff, the network tariff for each area shall be assessed individually.

However, if the network authority in accordance with Chapter 3, Section 3, has consented to several area network commissions being accounted for jointly, these shall be deemed to constitute one area when assessing reasonableness.

Special provisions on line network tariffs

Section 5 On a cable that is subject to a line network concession and where the voltage is less than 220 kilovolts (regional cable), the network tariff may not, except for a one-off connection charge, at each voltage level be formulated with regard to where an outtake point is located in relation to the connection of the cable to another network concessionaire's cable that is subject to a line network concession.

Permission to deviate from that prescribed in the first paragraph may be granted in accordance with Section 6.

The network tariff for a power installation that takes electrical power directly from a transformer on a regional cable shall be formulated on the basis of the network tariff for the

voltage level immediately before the transformer with a reasonable supplement for the step-down transformation.

Section 6 The network tariff for an individual electricity consumer whose installation is connected to a regional cable shall, if the network authority upon the application of the network concessionaire or electricity consumer affected has given permission to do so, be formulated having regard to where on the regional cable the electricity consumer's outtake point is located.

Permission under the first paragraph may only be granted if the outtake point affected existed on 1 July 1995 and a contract, whereby the price for the transmission of electrical power is based among other things on the location of the outtake point, applied on 1 July 1995.

Permission shall apply from a particular day and be granted for a fixed term, of at most thirty years.

If permission has been granted, when determining the network tariff for the electricity consumer, the location of the outtake point shall be taken into account to the same extent as in the contract referred to in the second paragraph.

Section 7 If the position of an outtake point is changed or is intended to be changed or if the agreed capacity at the outtake point is increased or is intended to be increased after when the network authority granted permission in accordance with Section 6, the network concessionaire shall notify this to the network authority.

When such notification has been given, the network authority shall consider the extent to which and during what time the permission should reasonably apply.

Section 8 When assessing the reasonableness of the network tariff for a regional cable, the estimated costs for the task that the network concessionaire has to perform and his way of performing the task shall be assessed overall within each normal voltage interval for all of the network concessionaire's regional cables throughout Sweden.

However, that part of the estimated costs that comprise payments for transmission on the national grid and other regional cables shall be assessed together only for all of the network concessionaire's regional cables within one and the same region.

Section 9 When assessing the reasonableness of the network tariff for a cable with a voltage of 220 kilovolts or thereover (grid cable), the estimated costs for the task that the network concessionaire has to perform and his way of performing the task shall be assessed overall for all of the network concessionaire's cables in Sweden except for the interstate lines. However, the tariff may not be formulated having regard to where on the network concessionaire's cable network a connection point is located.

If such a regulation as referred to in Section 2, second paragraph, has been made, as regards the interstate lines that are covered by the regulations, the estimated costs for the task that the network concessionaire has to perform and his way of performing the task shall be subject to the assessment of reasonableness that is made under the first paragraph regarding all the network concessionaire's cables in Sweden.

If the network concessionaire has the system responsibility for electrical power in accordance with Chapter 8, Section 1, first paragraph, that part of the operation that cannot be referred to a particular customer or customer category shall be deemed to be included in the network operation.

If the network concessionaire participates in European Cooperation, which is aimed at developing and maintaining a functional European market for electricity, the operation shall be deemed to be included in the network operation.

Special provisions on network tariffs for small generation installations

Section 10 An owner of a generation installation that can supply power of at most 1 500 kilowatt shall, for the transmission of electrical power, only pay that part of the charge according to the network tariff that corresponds to the annual cost for metering, computing

and reporting on the network concessionaire's network. The owner shall also pay a one-off connection charge.

If several such installations that are located in the proximity of each other jointly feed in electrical power to the cable network, the installations shall be regarded as separate installations when applying this Section.

Disputes concerning matters referred to in the first paragraph shall be considered by the network authority. However, a dispute shall not be considered if it is shown that the application for consideration was received by the network authority later than two years after when the network concessionaire sent a written statement of position to the party affected to his last known address.

A right to information about network tariffs, etc.

Section 11 A party that holds a network concession shall upon request submit without delay written information about his network tariff.

Upon request for a new connection, information shall be provided in accordance with the first paragraph within a reasonable time.

A party that holds a network concession shall publicise his network tariff to the extent that it relates to charges and other conditions for transmission of electrical power.

The Government or, following authorisation by the Government, the network authority may make more detailed regulations on the publication of network tariffs in accordance with the third paragraph.

Chapter 5 Repealed by Act 1999:770.

Chapter 6 Repealed by Act 2002:121.

Chapter 7 Municipal electricity undertakings

Section 1 Such a municipal undertaking as referred to in Chapter 3, Sections 16 to 18 of the Local Government Act (1991:900) may, notwithstanding the provisions contained in Chapter 2, Section 1 of the Local Government Act concerning links to the district of the municipality or its members, conduct outside the area of the municipality

1. generation of and trade in electrical power and also operations related thereto, or
2. network operations in geographical proximity to the undertaking's network operation within the municipality aimed at ensuring an efficient network operation.

Section 2 If such a municipal undertaking as referred to in Chapter 3, Sections 16 to 18 of the Local Government Act (1991:900) conducts such operations as referred to in Chapter 1, Section 1, the operation shall be run on commercial principles and accounted for separately.

Chapter 8 Overall system responsibility and balance responsibility, etc.

Overall system responsibility

Section 1 The Government shall appoint an authority to have overall system responsibility (the authority having system responsibility) for power installations being coordinated in an operationally secure manner to ensure that balance between generation and consumption of electricity in the whole or parts of Sweden can be maintained short term.

The Government or the authority appointed by the Government may, to the extent that it is necessary having regard to operational security of the national electrical power system, make regulations concerning the control, testing or inspection and other regulations relating to power installations, equipment intended to be connected to such installations, electrical material or electrical facilities.

Section 2 The authority having system responsibility may, to the extent that it is necessary to be able to exercise the system responsibility, order electricity producers to, in return for fair market compensation, increase or reduce the generation of electrical power.

If the system responsibility cannot be exercised through measures referred to in the first paragraph, the authority having system responsibility may, to the extent that it is necessary to be able to exercise the system responsibility, order the holder of a network concession to limit or discontinue the transmission of electrical power to electricity consumers. To the extent that the system responsibility so allows, the limitation and discontinuation of the transmission shall be implemented as fairly as possible. In this connection, to the extent that it is possible, the obligations of the concessionaire regarding supply security shall be taken into account.

More detailed regulations concerning the powers of the authority having system responsibility under the first and second paragraphs shall be made by the Government.

Section 3 The Government may make regulations concerning the obligation for electricity producers and electricity consumers to supply information to the authority having system responsibility about generation or consumption of electrical power that is required for the exercise of the system responsibility.

Balance responsibility

Section 4 An electricity supplier may only supply electrical power in outtake points where someone has assumed the financial responsibility for the national electrical power system being fed as much electrical power as is taken out in the outtake point (balance responsibility). Such an undertaking shall be made through a contract with the authority having system responsibility.

Outtake point means in this connection the point where the electricity consumer, according to a contract with the holder of a network concession, takes out electrical power for consumption.

Section 4a The conditions of a balance contract shall be objective and non-discriminatory.

The authority having system responsibility may not conclude a balance contract before the methods used to formulate the contract have been approved by the network authority.

Approval shall be granted if the methods may be deemed to result in the contract satisfying the requirements under the first paragraph.

A decision in accordance with the second paragraph applies immediately. The network authority shall serve notice of such a decision in accordance with Section 16, first paragraph and Section 17, first paragraph of the Act on Service of Documents (1970:428).

Section 4b The authority having system responsibility shall publicise the conditions applied in the balance contract and, on request, shall provide without delay written information on these conditions.

The Government or, following authorisation by the Government, the network authority may issue more detailed regulations on the publication of conditions under the first paragraph.

Section 4 c When the authority having system responsibility learns that a contract with the authority concerning balance responsibility in accordance with Section 4, first paragraph, shall cease to apply, the authority shall without delay notify the holder of the network concession on whose cable network the outtake points are located where the balance responsibility will thus cease to apply. The holder of the network concession shall without delay notify the electricity suppliers affected.

When someone, that by a contract with an electricity supplier has undertaken the balance responsibility in the outtake points where the electricity supplier supplies electrical power, learns that this contract shall cease to apply, the party with balance responsibility shall

without delay notify the authority having system responsibility and the holder of the network concession on whose cable network the outtake points are located where the balance responsibility will thus cease to apply.

If electricity suppliers do not have or it may be feared that they may not have anyone that has undertaken the balance responsibility at the outtake points where they, according to Section 5, first paragraph, are liable to supply, the authority having system responsibility may nominate someone that in relation to the authority has undertaken the balance responsibility at such outtake points. This obligation shall apply from when the former balance responsibility ceased to apply.

The authority having system responsibility shall immediately notify the network concessionaires affected about who has been nominated as responsible for balances. The network concessionaires shall without delay notify the electricity suppliers about who has been nominated as responsible for balances at the outtake points.

Section 4d An electricity supplier may only conclude a contract for the supply of electrical power at a particular outtake point with those electricity consumers who according to a contract with the network concessionaire are entitled to withdraw electrical power at that outtake point. Act 2006:926.

Section 5 An electricity supplier that supplies electricity to an electricity consumer at a particular outtake point is liable to continue to supply electricity until the supply obligation ceases according to the second paragraph ceases.

The supply obligation shall cease if the electricity consumer stops withdrawing electrical power at the outtake point, if some other electricity supplier starts to supply electrical power to the electricity consumer at the outtake point or if the transmission of electrical power in accordance with Chapter 11, Section 3 or 4 or according to contract may be discontinued owing to the electricity consumer having neglected his obligations in relation to the electricity supplier.

The electricity supplier that has a fixed term contract with the electricity consumer for the supply of electrical power shall at the earliest 90 days and no later than 60 days prior to the expiry of the contract inform the electricity consumer of

1. the expiry date of the contract, and
2. the consequences of the expiry of the contract.

The provisions of this Section do not apply to those electricity suppliers referred to in Section 7.

The Government or, following authorisation by the Government, the network authority may issue more detailed regulations on the obligation to provide information according to the third paragraph. Act 2006:926

Section 6 An electricity supplier that is to commence to supply electricity at an outtake point shall immediately notify this to the holder of the network concession affected. The notification shall also contain details of who has undertaken the balance responsibility at the outtake point.

An electricity supplier that takes over the supplies to an electricity consumer at his outtake point may only do this from and including the first day of a calendar month. Notification according to the first paragraph shall, in that connection, be given no later than on the fifteenth day of the calendar month before the takeover.

The provisions contained in the first and second paragraphs do not apply to those electricity suppliers as are referred to in Section 7.

A holder of a network concession that receives a notification according to the first paragraph shall send notifications as a result thereof in accordance with the detailed regulations made by the Government or, following authorisation by the Government, the network authority.

The Government or, following authorisation by the Government, the network authority may issue more detailed regulations concerning the electricity suppliers' obligations under the first paragraph.

Section 7 An electricity supplier that intends to supply during a specific period a determined quantity of electrical power to an electricity consumer shall give notice of this to the electricity supplier that according to Section 5, first paragraph, is under an obligation to supply at the electricity consumer's outtake point and to the party that has undertaken the balance responsibility at the outtake point.

Section 8 An electricity consumer who does not have an electricity supplier shall have an electricity supplier nominated by the holder of the network concession affected, that in relation to the network concessionaire has undertaken to supply electrical power to such electricity consumer.

The network concessionaire shall immediately inform the electricity consumer of the electricity supplier nominated and about the provisions of the Swedish Electricity Act on exchange of electricity supplier.

The Government or the authority appointed by the Government may issue more detailed regulations regarding what the notification referred to in the second paragraph shall contain.

The electricity supplier nominated shall immediately notify the electricity consumer of the conditions for the supply that the electricity supplier intends to apply and of the date when the electricity supplier intends to start the supply under the contract.

For the consumption of the electrical power that is not supplied in accordance with a supply contract with an electricity supplier, the electricity consumer shall make payment to the electricity supplier nominated in accordance with the conditions applied by the latter.

Section 9 A party that takes over the balance responsibility at an electricity consumer's outtake point may only do so from and including the first day of a calendar month. The electricity supplier that according to Section 5, first paragraph, is obligated to supply at an outtake point shall, in accordance with the detailed regulations made by the Government or, if authorised by the Government, the network authority, notify the holder of the network concession affected about the takeover no later than one month before it shall be implemented.

The authority having system responsibility may, if there are special reasons, allow in an individual case the balance responsibility at an outtake point to start to commence earlier than as prescribed by the first paragraph.

A holder of a network concession that received a notification according to the first paragraph shall send notifications as a result thereof in accordance with the detailed regulations made by the Government or, following authorisation by the Government, the network authority.

Section 10 Holders of network concessions shall, in accordance with the detailed regulations made by the Government or the authority appointed by the Government, keep the authority having system responsibility advised about the information that has been provided in accordance with Section 9. They shall also keep the authority having system responsibility advised about who has undertaken the balance responsibility for their own purchase.

Section 11 The authority having system responsibility shall be responsible for the account settlement between those responsible for balance according to the regulations made by the Government or, following authorisation by the Government, the authority.

Section 11a An electricity supplier that has supplied electrical power to an outtake point where there is no-one with balance responsibility shall, upon settlement being made with the authority having system responsibility, be deemed to have the balance responsibility for the outtake point. Compensation shall be paid in accordance with the conditions applied by the authority having system responsibility in relation to the party with balance responsibility. Act 2006:926.

Section 11 b An electricity supplier shall provide the network authority with information about the prices and supply conditions applied by the electricity supplier for the supplier of electrical power to electricity consumers.

The Government or the authority appointed by the Government may issue more detailed regulations regarding the obligations of the electricity supplier according to the first paragraph. Act 2006:926.

Declaring the origin of the electrical power

Section 12 Electricity suppliers shall, on or in conjunction with invoices for the sale of electrical power and in advertising directed at electricity consumers, provide information about

1. each individual energy source's share of the average composition of energy sources used to generate the electrical power that the electricity supplier sold during the immediately preceding calendar year, and
2. the impact on the environment in the form of carbon dioxide emissions and the quantity of nuclear waste resulting from the generation of the electricity sold.

If the electricity supplier bought electrical power on a power exchange or imported it from an undertaking located outside the European Union, the information referred to in the first paragraph, item 1 may be based on information provided by the power exchange or the undertakings.

The information referred to in the first paragraph, item 2 may be provided by referring to reference sources available to the public.

The Government or, following authorisation by the Government, the network authority may issue more detailed regulations on how such information as referred to in the first to third paragraphs shall be calculated for and reported to electricity consumers.

Section 13 Electricity producers shall publicise the information needed by the electricity suppliers in order to be able to satisfy their obligations under Section 12, first paragraph.

An electricity supplier that does not generate electrical power shall, at the request of the other electricity suppliers, provide the information needed in order to be able to satisfy their obligations under Section 12, first paragraph.

The Government or, following authorisation by the Government, the network authority may issue more detailed regulations on the obligations referred to in the first and second paragraphs.

Chapter 9 Protective measures

Section 1 Power installations, electrical equipment intended to be connected to such installations, electrical material and electrical facilities shall be of such a nature and placed and also used in such a way that sufficient safety is provided against personal injury or property damage or disruption of operations within their own installation or at other power installations.

The Government or the authority appointed by the Government may, to the extent that it is necessary from the electrical safety perspective, make regulations concerning the control, testing or inspection and other regulations that concern power installations, equipment intended to be connected to such installations, electrical material or electrical facilities.

Section 2 If a power installation might, owing to its effect on a pre-existing power installation, cause personal injury or property damage or disruption of operations, the owner

of the first-mentioned installation is responsible for taking such measures as are necessary at its installation to prevent such injury, damage or disruption.

That referred to in the first paragraph also applies when a power installation might cause property damage owing to its effect on pre-existing natural gas pipes for which a concession is required according to the Natural Gas Act (2000:599).

Section 3 Parties that owns an installation for heavy current with a voltage that exceeds 1 000 volts between the phase conductors where, in the event of a single-phase fault, a short-circuit current to ground with power exceeding 500 amperes may occur, are liable, besides that prescribed by Section 2, to observe the following. As soon as they learn that a power installation for weak current or for heavy current with at most 1 000 volts between the phase conductors has been added, they are responsible for the measures that are necessary at their plant in order to prevent injury, damage or disturbance.

Measures referred to in the first paragraph shall be aimed at preventing the installation causing, by affecting the other installation through induction or enhanced ground potentials, personal injury or property damage or other disturbance than disturbance by noise.

Section 4 If, in cases as referred to in Section 3, the owner of an installation that has been added later, through inadequate planning of the design of the installation or in another way, has caused the cost for protection measures to be significantly greater than necessary, they are responsible for the additional cost.

Section 5 If a power installation is moved or changed as regards design or operation and the risk of injury, damage or disturbance thereby increases, the matter of the obligation to be responsible for protective measures that are caused by the increased risk shall be assessed in the same way as if the installation were new.

Section 6 A power installation shall be deemed to have been added when it has been put into service. If various parts of an installation have been put into service at different times, each such part shall, when applying this Chapter, be deemed to be a separate installation.

Section 7 If, in cases as referred to in Sections 2 and 3, necessary protection can be achieved with better effect or at a lower cost through some measure at another installation than that whose owner is obliged to be responsible for the measure according to Section 2 or 3, the owner of the first-mentioned installation, following agreement or a decision by a general court, shall perform the measure.

The owner that performed the measure in accordance with the first paragraph is entitled to receive, from the party that was responsible for the measure according to Section 2 or 3, compensation for the expenses that were necessary for the measures performed. If the measures performed involved an advantage for the installation in the form of reduction of expenses for its maintenance and operation or other permanent improvement of the operation, the compensation shall be reduced to a corresponding extent.

Section 8 Special provisions concerning electromagnetic compatibility are contained in the Electromagnetic Compatibility Act (1992:1512).

Chapter 10 Damages

Liability for injury and damage through effects of electrical power from heavy-current installations

Section 1 If someone has been caused personal injury or property damage through the effects of electrical power from a heavy-current installation, the damage or injury shall, even if it does not follow from general rules on damages, be compensated by the owner of the heavy-current installation from which the electrical power latest came.

Responsibility according to the first paragraph does not apply

1. to those possessing heavy-current installations for the generation of electrical power where the generator has a power rating of at most 50 kilovolt amperes,
2. to those possessing heavy-current installations intended for use of electrical power and which is fed electrical power with a voltage of at most 250 volts between a conductor and earth or, in the case of non-directly earthed systems, between two conductors,
3. if the damage or injury occurred at another power installation or a natural gas pipe, for which a concession is required according to the Natural Gas Act (2000:599), or
4. if the power installation comprises an establishment for the conveyance of goods or is intended for the needs of such an establishment and damage was caused to property that had been received for such conveyance.

Product liability

Section 2 If damage or injury has been caused by a safety deficiency in electrical power that has been put into circulation from a power installation with its own generator or transformer, the owner is liable, unless otherwise provided by Section 3, to pay damages for personal injury and also for property damage to property that is normally of a type that is intended for private purposes, provided the injured party at the time of the injury or damage used the property mainly for such purpose.

Safety deficiency means that the electrical power is not as safe as could reasonably be expected.

Contractual conditions limiting this liability to pay damages are void.

Section 3 Parties are not liable to pay damages in accordance with Section 2 if

1. it demonstrates that they have not put the electrical power into circulation in business operations,
2. it shows that it was likely that the safety deficiency did not exist when they put the electrical power into circulation,
3. it demonstrates that the safety deficiency results from the electrical power having to correspond with mandatory regulations that have been made by an authority, or
4. it demonstrates that on the basis of scientific and technical knowledge at the time when they put the electrical power into circulation it was not possible to discover the safety deficiency.

Damages in connection with operational disruptions

Section 4 If the operation of a power installation has been disrupted by the effect of electrical power from another such installation and if the disruption causes personal injury, property damage or pure economic loss, the owner of the latter installation shall compensate the damage, providing the disruption has not arisen as a consequence of intent or negligence on their part.

Contributory negligence by the injured party

Section 5 If negligence on the part of the injured party has contributed to the injury or damage that shall be compensated in accordance with Section 1, first paragraph, or Section 4, then Chapter 6, Section 1 of the Tort Liability Act (1972:207) applies.

If negligence on the part of the injured party has contributed to the injury or damage, damages according to Section 2 shall be adjusted according to what is reasonable.

Determination of damages

Section 6 Chapter 5 of the Tort Liability Act (1972:207) shall apply when determining compensation for injury or damage according to Sections 1, 2 or 4.

When compensation for property damage is determined in accordance with Section 2, an amount of 3 500 kronor shall be deducted.

Owner's liability to pay damages

Section 7 If owners of electrical heavy-current installation have granted a right of use, completely or partially, to another, they is nonetheless liable for damage that shall be compensated according to this Act as if they still possessed the installation. However, the owners are not responsible for property other than that which has been leased.

The owner may demand repayment from the holder of the right to use of such compensation as the owner may have paid in such a case as referred to in the first paragraph.

Time limitation

Section 8 Proceedings against a power installation owner or lessee for damages in accordance with Section 1, first paragraph or Section 4, shall be instituted within two years from when the damage or injury occurred.

Parties that wishes to receive compensation in accordance with Section 2 shall institute proceedings within three years from when they learned or ought to have learned that the claim could be asserted. However, an action for compensation must be instituted within ten years from when the party that is claimed to be liable to pay damages provided the electrical power.

A party that does not institute proceedings in good time is not entitled to compensation under the stated provisions.

Compensation for outages

Section 9 Contractual conditions that, compared with the provisions of Sections 10 to 15, are disadvantageous to electricity consumers are ineffective against such consumers. Compensation for outages according to Sections 10 to 13 shall be deducted from damages paid according to other provisions of this Act or another act owing to the same power outage. Act (2005:1110).

Section 10 If the transmission of electrical power is discontinued completely during a consecutive period of at least twelve hours, electricity consumers are entitled to compensation for the outage.

Electricity consumers are not entitled to compensation for outages if

1. the outage results from the neglect of the electricity consumer,
2. the transmission of electrical power is discontinued so that measures can be taken that are justified for electrical power safety reasons or in order to maintain good operational and supply security and the outage does not last longer than the measures require,
3. the outage is referable to a fault in a concessionaire's cable network and the fault results from an impediment outside the concessionaire's control that the concessionaire could not

reasonably have been expected to have anticipated and whose consequences the concessionaire could neither reasonably have avoided nor overcome, or

4. the outage is referable to a fault in a cable network where the cables have a voltage of 220 kilovolt or more.

Section 11 Compensation for outages shall be paid by the party that holds the concession for the electricity network to which the electricity consumer is directly connected.

Section 12 When calculating the compensation for outages, a period of discontinued transmission of electrical power (the outage period) shall be deemed to have been concluded at the time when the outage ceased, provided the transmission has then functioned without interruption during the immediately following two hours.

For an outage period of at least twelve hours and at most twenty-four hours, compensation for outages shall be paid at a rate of 12.5 per cent of the electricity consumer's estimated annual network cost, though at least two per cent of the price base amount according to the National Insurance Act (1962:381) rounded to the nearest higher hundred kronor.

If the outage period lasts for more than twenty-four hours, further compensation of 25 per cent of the electricity consumer's estimated annual cost shall be paid for each twenty-four hour period commenced thereafter, though at least two per cent of the price base amount rounded to the nearest higher hundred kronor.

For one outage period, compensation for outages shall amount at most to 300 per cent of the electricity consumer's estimated annual network cost.

Section 13 The compensation may be adjusted according to what is reasonable if the obligation to pay outage compensation is unreasonably onerous considering the financial circumstances of the party liable to pay compensation under Section 11 or the party that will finally pay compensation under Section 16.

However, the compensation may also be adjusted according to what is reasonable provided the work conducted to get the transmission of electrical power started up again had to be delayed to avoid exposing workers to significant risks.

Section 14 The party liable to pay compensation according to Section 11 shall pay outage compensation to the electricity consumers without unreasonable delay and never any later than six months from the end of the month when the party liable to pay compensation became or ought to have become aware of the outage.

If payment has not been made in good time, the party liable to pay compensation shall pay interest in accordance with Section 6 of the Interest Act (1975:635).

Section 15 The right to receive compensation lapses if the electricity consumer, despite the provisions of Section 14, has not received outage compensation and has not made a claim for compensation from the party liable to pay compensation within two years from when the outage ceased.

Section 16 To the extent that the outage is referable to a fault in another concessionaire's cable network, the party liable to pay compensation under Section 11 is entitled to obtain compensation from that concessionaire for the payments made to the electricity consumer under Sections 10 to 13.

Chapter 11 Special provisions for transmission and supply of electrical power to consumers

Introductory provisions

Section 1 This chapter relates to the transmission and supply of electrical power to consumers. A consumer means a natural person to whom electrical power is transmitted or supplied mainly for purposes that fall outside business operations.

Section 2 Terms of contract which in comparison with the provisions of this chapter are disadvantageous to a consumer are ineffective against the consumer.

Discontinuation of transmission of electrical power owing to a breach of contract by the consumer

Section 3 Transmission of electrical power may be discontinued if the consumer neglects their obligations and the neglect constitutes a fundamental breach of contract.

Before the transmission is discontinued, the consumer shall be urged to implement rectification within a reasonable time and, in cases other than those referred to in Section 4, notified that the transmission may otherwise be discontinued. If rectification is implemented, the transmission may not be discontinued.

If the circumstances give cause to fear that a discontinuation would involve not insignificant personal injury or substantial property damage, the transmission may not be discontinued. However, this does not apply if the consumer has acted improperly.

Section 4 If the breach of contract comprises the consumer neglecting to pay for the transmission or supply of electrical power, besides that provided by Section 3, the consumer shall, when the time for rectification has expired, be urged to pay within three weeks from when they were served with the demand and a notification that transmission may otherwise be discontinued. A message concerning the non-payment shall at the same time be submitted to the Social Welfare Committee in the municipality where the consumer received electrical power transmitted.

If payment is made or if the claim is disputed, the transmission may not be discontinued. Nor may the transmission be discontinued if the Social Welfare Committee, within the time stated in the first paragraph, has given notice in writing to the party that gave notice that the Committee will assume the payment obligation for the debt.

Section 5 The holder of a network concession and the electricity supplier are entitled to reasonable compensation from the consumer for costs caused by measures referred to in Sections 3 and 4.

Section 6 Notices and messages as referred to in Section 4, first paragraph, shall be given according to a standard form determined by the Government or the authority appointed by the Government.

Discontinuation of transmission of electrical power for electrical safety reasons, etc.

Section 7 The holder of a network concession may discontinue the transmission of electrical power in order to implement measures that are justified for electrical safety reasons or to maintain good operational and supply security. The discontinuation may not in such a case last longer than the measure requires.

If the holder of a network concession can anticipate more than a short-term discontinuation in the transmission, the consumer shall be notified in good time before the discontinuation. The consumer shall be notified personally or, if it is appropriate, by notice.

Damages in connection with discontinued transmission of electrical power

Section 8 If the transmission of electrical power is discontinued owing to the neglect of the consumer without the preconditions referred to in Sections 3 and 4 being satisfied, the consumer is entitled to compensation from the network concessionaire for damage or injury.

If the transmission of electrical power has been discontinued at the request of the electricity suppliers, they shall, instead of the concessionaire, compensate the consumer for the damage or injury incurred.

Section 9 If the holder of a network concession has not notified the consumer in accordance with Section 7, second paragraph, the consumer is entitled to compensation from the concessionaire for damage or injury.

Section 10 If the transmission of electrical power is discontinued without this resulting from the consumer's neglect and without there being a right to discontinue the transmission according to Section 7, first paragraph, the consumer is entitled to compensation from the network concessionaire for damage or injury if they cannot show that the discontinuation resulted from an impediment that was outside their control and the consequences of which they could neither reasonably have anticipated nor could reasonably have avoided or overcome.

If the discontinuation results from someone that the concessionaire has engaged to perform maintenance, repair or similar work, concessionaires are only relieved from liability to pay damages if the party they engaged would also be relieved according to the first paragraph.

Section 11 Damages in accordance with Sections 8 to 10 comprise compensation for costs and loss of income and also other loss owing to the discontinuation.

If the obligation to pay damages would be unreasonably burdensome considering the financial circumstances of the party liable to pay damages, the damages may be adjusted according to what is reasonable. When making this assessment, insurance and the insurance opportunities available, the capacity of the party liable to pay damages to anticipate and prevent the damage or injury and other special circumstances shall be taken into account.

Section 12 Consumer shall notify the other party of claims for compensation within two years from when the damage or injury occurred. If they do not do so, their right to compensation for the damage or injury incurred shall lapse.

Chapter 12 Supervision, etc.

Supervisory authorities, etc.

Section 1 The authority or authorities appointed by the Government shall exercise supervision of compliance with this Act and the regulations or conditions made under the Act regarding electrical safety and operational safety of the national electrical power system.

Supervision generally of compliance with this Act and the regulations and conditions made under this Act shall be exercised by the network authority.

Supervision under the second paragraph does not include the provisions in Chapters 7, 10 and 11 nor compliance with the electricity suppliers' obligations under Chapter 8, Sections 1 to 4, Section 5, first and second paragraphs, and Sections 6 to 11a.

The network authority is the supervisory authority according to the Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity.

Section 1 a Matters concerning exemptions according to Articles 7.1, 7.2 and 7.3 of Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity are considered by the Government.

The network authority shall investigate the matters referred to in the first paragraph and thereafter transfer the matter, with its own statement of opinion, to the Government for consideration. The network authority shall thereupon publicise its statement of opinion.

Section 2 A supervisory authority is entitled to receive upon request the information and have access to the documents that are necessary for supervision. A request may be made subject to a default fine.

A decision under the first paragraph applies immediately.

The Government or, following authorisation by the Government, the network authority may make regulations on the collection of the information necessary for assessing the reasonableness of network tariffs.

Section 3 A supervisory authority may make the orders that are necessary to ensure compliance with the regulations and conditions subject to the supervision. An order may be made subject to a default fine.

An order referable to electrical safety or operational security of the national electrical power system shall apply immediately.

Section 3 a If the network authority intends to exercise supervision of a network concessionaire's network tariff, the concessionaire shall be notified of this

1. within one year from the end of the financial year to which the network tariff refers, or
2. within five years from the end of the financial year to which the network tariff refers if the network concessionaire has provided incorrect or misleading information that was of decisive importance for the network authority's decision not to exercise supervision.

The network authority may not make an order under Section 3 relating to a network concessionaire's network tariff for a particular financial year unless the network authority has given notice to the network concessionaire in accordance with the first paragraph.

Special provisions on supervision relating to electrical safety or operational security of the national electrical power system

Section 4 The supervisory authority may

1. make an order for rectification at the cost of the relevant party if anyone does not comply with an order in accordance with Section 3 that is called for owing to electrical safety reasons,
2. prohibit the use of a power installation that is in such a condition or used in such a way that a risk of personal injury or property damage may arise,
3. prohibit the provision or use of electrical material that is in such a condition or used in such a way that a risk of personal injury or property damage may arise or which is not controlled, tested, inspected or documented in accordance with the applicable regulations,
4. prohibit the provision of services that involve a risk of personal injury or property damage as a consequence of inadequate or improper installation of electrical heavy-current installations.

Decisions according to the first paragraph apply immediately and may be enforced.

Decisions according to the first paragraph, items 2 to 4, may be made subject to a default fine.

Section 5 For supervision relating to the electrical safety or operational security of the national electrical power system, the supervisory authority has a right of access to areas, premises and other spaces, though not dwellings.

If necessary for the supervision regarding electrical safety, the supervisory authority may, at manufacturers, importers, wholesalers and retailers, select for testing one or more examples of equipment intended to be connected to a power installation, or electrical material that has been put onto or will be put onto the market.

The Government or the authority appointed by the Government may make regulations regarding compensation for samples selected and regarding the obligation to compensate the supervisory authority's costs for testing.

The police authority shall provide the assistance that is necessary for the supervision.

Charges

Section 6 The Government or the authority appointed by the Government may make regulations concerning charges for the operations of an authority that are conducted pursuant to this Act.

Charges for delay

Section 7 If an undertaking that conducts a network operation does not submit a certified copy of such an annual report and such auditor's certificate as referred to in the Auditing of Network Operations Ordinance (1995:1145), the undertaking shall pay a charge for delay to the State in accordance with Section 8.

Decisions regarding charges for delay shall be made by the network authority.

Section 8 An undertaking that conducts a network operation shall pay a charge for delay if the documents referred to in Section 7 have not been received by the network authority within seven months from the end of the financial year. However, if the undertaking has decided on an adjourned general meeting according to Chapter 7, Section 14, second paragraph of the Companies Act (2005:551) or for an adjourned general meeting of the association according to Chapter 7, Section 4, third paragraph, of the Co-operative Societies' Act (1987:667), the undertaking shall only pay a charge for delay if the documents have not been received within nine months from the end of the financial year. The charge shall amount to SEK 10 000.

If the documents referred to in Section 7 have not been received within two months from when notification was dispatched to the undertaking of a decision for a charge for delay in accordance with the first paragraph, the undertaking shall pay a new charge for delay. The new charge shall amount to SEK 10 000.

If the documents referred to in Section 7 have not been received within two months from when notification was dispatched to the undertaking of a decision for a charge for delay in accordance with the second paragraph, the undertaking shall pay a new charge for delay. The new charge shall amount to SEK 20 000.

Section 9 If a decision to put the undertaking into bankruptcy or entry into liquidation has been registered, a decision concerning a charge for delay may not be made.

Section 10 If the undertaking, within the prescribed time, submitted the documents referred to in Section 7 but the documents have some inadequacy that can easily be rectified, the network authority may make a decision on a charge for delay only if the undertaking has been notified of the inadequacy and been given an opportunity to rectify it but has not done this within the time stated in the notice. Such notice may be sent by post to the postal address last notified by the undertaking to the network authority.

Section 11 A charge for delay may be waived if the failure to submit a document appears to be excusable having regard to circumstances that the undertaking could not control. The charge shall also be waived if it appears manifestly unreasonable to impose it.

The provisions concerning waiver shall be taken into account even if no application for this has been presented, if there is cause to do so considering that which has been established in the matter.

Section 12 If a charge for delay has not been paid after a demand for payment, the charge shall be submitted for collection. The Government may prescribe that collection may not be requested for trivial amounts.

The provisions concerning collection are contained in the Collection of State Debts, etc., Act (1993:891). Enforcement under the Enforcement Code may take place in connection with a collection.

Section 13 A decision for a charge for delay may be enforced even if it has not entered into final legal force.

If an undertaking is entitled to repayment of the charge for delay owing to the decision of a court, interest shall be paid on the repaid charge for delay as of and including the month after when such charge for delay was paid, up to and including the month when it was repaid. Chapter 19, Section 14, of the Tax Payments Act (1997:483) shall apply regarding the amount of interest.

Chapter 13 Other provisions

Provisions on criminal liability

Section 1 A sentence of a fine or imprisonment of at most one year shall be imposed on a party that intentionally or by negligence

1. contravenes Chapter 2, Section 1 or 3,
2. contravenes conditions made under Chapter 2 Section 11, or
3. contravenes a regulation that has been made under Chapter 8, Section 1, second paragraph or Chapter 9, Section 1, second paragraph.

A party who intentionally or by negligence contravenes Chapter 2, Section 17, shall be sentenced to a fine.

In petty cases, criminal liability shall not be imposed.

Section 2 Criminal liability shall not be imposed under this Act if the act is subject to a penalty under the Swedish Penal Code.

Section 3 A party who has neglected an order to pay a default fine shall not be sentenced for liability under this Act for an act that is subject to the order.

Section 4 Power installations, equipment intended to be connected to a power installation or electrical material that has been the subject of an offence under this Act shall be declared forfeited, provided it is not manifestly unreasonable to do so. Instead of such property, the value of the property may be declared forfeited. The gain of an offence under this Act shall also be declared forfeited, provided it is not manifestly unreasonable to do so.

Appeals

Section 5 A decision by a network authority in accordance with Chapter 2, Sections 18 to 20, Chapter 3, Sections 3, 6 to 8, 9b, 11, 14 and 15, Chapter 4, Sections 6, 7 and 10, Chapter 8, Section 4a and also Chapter 12, Sections 8 and 11, a decision by a supervisory authority in accordance with Chapter 12, Sections 2 to 4 and also a decision by the authority having system responsibility concerning compensation to a party that has been ordered to increase or reduce the generation of electrical power in accordance with Chapter 8, Section 2, may be appealed against to a general administrative court. Leave to appeal is required in connection with appeals to the Court of Administrative Appeal.

The Government may make regulations on appeals against other decisions made in accordance with this Act or in accordance with regulations made under this Act.

Transitional provisions