Cultural Monuments (etc.) Act (1988:950) with Amendments up to and including SFS 1996:529

Cultural Monuments Ordinance (1988:1188) with Amendments up to and including SFS 1995:1448

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Chap. 1. Introductory provisions

Section 1. The care and preservation of our cultural environment is a matter of national concern. Responsibility for this is shared by all. Both individual persons and public authorities must show consideration and care towards the cultural environment. Any person planning or carrying out work must ensure that damage to the cultural environment is as far as possible avoided or limited.

Section 2. This Act contains provisions on archaeological remains, historic buildings and ecclesiastical property of historic interest, and also on the export of cultural objects from the country. The State County Administration supervises cultural resources in the county. The Central Board of National Antiquities and the National Historical Museums hereinafter referred to as the Central Board of National Antiquities, supervise cultural resource management in Sweden. The Central Board of National Antiquities may appeal against decisions by a court of law or any other authority under this Act.

Section 3. The provisions of this Act concerning owners of real property or buildings shall, when a property or building is entailed or held on comparable terms or with a permanent right of occupation, apply to the tenant.

Chap. 2. Ancient monuments and finds

Permanent ancient monuments and archaeological finds

Section 1. Permanent ancient monuments are protected under this Act. Permanent ancient monuments are the following traces of human activity in past ages, having resulted from use in previous times and having been permanently abandoned:

1. graves, funeral buildings and burial grounds, together with churchyards and other cemeteries,
2. raised stones and stones and rock bases with inscriptions, symbols, marks and pictures, as well as other carvings or paintings,
3. crosses and memorials,
4. places of assembly for the administration of justice, cult activities, trade and other common purposes,
5. remains of homes, settlements and workplaces and cultural layers resulting from the use of such homes or places, e.g. traces of working life and economic activity,

6. ruins of fortresses, castles, monasteries, chuch buildings and defence works, and also of other remarkable buildings and structures,

7. routes and bridges, harbour facilities, beacons, road markings, navigation marks and similar transport arrangements, as well as boundary markings and labyrinths,

8. wrecked ships, if at least one hundred years have presumably elapsed since the ship was wrecked.

Permanent ancient monuments also include natural formations associated with ancient customs, legends or noteworthy historic events, as well as traces of ancient popular cults.

Section 2. An ancient monument includes a large enough area of ground or on the seabed to preserve the remains and to afford them adequate scope with regard to their nature and significance. This area is to be termed an archaeological site.

Questions concerning the definition of the boundaries of an archaeological site are to be dealt with by the State County Administration. If a matter relating to the definition of boundaries is raised by any other person than the owner of the area, the latter is to be notified of the matter and given an opportunity of making a statement. Notification is to be effected by the service of governments.

Section 3. Archaeological finds are objects which have no owner when found and which

1. are discovered in or near an ancient monument and are connected with it, or

2. are found in other circumstances and are presumably at least one hundred years old.

Section 4. Archaeological finds as referred to in Section 3(1) accrue to the State.

An archaeological find as referred to in Section 3(2) accrues to the finder. He is, however, duty bound to invite the State to acquire it in return for payment (invitation to purchase)

1. if the find contains objects partly or wholly of gold, silver, copper, bronze or any other copper alloy or

2. if the find consists of two or more objects which were presumably deposited together.

Finds discovered on or beneath the seabed outside the limits of national jurisdiction and salvaged by a Swedish vessel or taken to Sweden accrue to the State.

A wreck discovered on the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction and salvaged by a Swedish vessel or taken to Sweden accrue to the State if at least one hundred years have presumably elapsed since the ship was wrecked.
Section 5. Any person discovering an archaeological find which accrues or must be offered for redemption to the State is to report the archaeological find without delay to the Central Board of National Antiquities, the State County Administration, The County Museum or a police authority. Archaeological finds belonging to shipwrecks can also be reported to the Coastguard Service.

It is the duty of the finder, when requested to do so, to surrender the archaeological find in return for a receipt and to state where, when and how the archaeological find was discovered.

Protection, care and investigation of ancient monuments and sites where archaeological finds have been discovered

Section 6. It is prohibited, without permission under this Chapter, to displace, remove, excavate, cover or, by building development, planting or in any other way, to alter or damage an ancient monument.

Section 7. The Central Board of National Antiquities and the State County Administration may take such measures as are necessary in order to protect and care for an ancient monument. These measures may, for example, comprise relocation, refurbishment and enclosure of the ancient monument or clearance. A measure of this kind may also refer to an ancient monument incorporated in a building.

The State County Administration may appoint an agent to take measures as referred to in subsection one, subject to the conditions which the State County Administration defines. A measure implying the displacement or alteration of the ancient monument may not, however, be taken without such a measure being expressly provided for in the assignment from the State County Administration.

Before any measure is taken, the person owing or having special title to the land or building shall be notified through the service of documents. The same shall apply with regard to an expanse of water.

If the measures taken entail expense or damage to the owner or any other person, he is entitled to reasonable compensation out of public funds. Compensation decisions are made by the State County Administration and served to the person affected.

Section 8. The Central Board of National Antiquities and the State County Administration may, Section 6 notwithstanding, examine an ancient monument, salvage a shipwreck being an ancient monument and investigate a place where archaeological finds have been discovered.

The State County Administration may grant some other agent permission to conduct such an investigation or salvage operation, on the conditions defined by the State County Administration.

Investigation or salvaging shall be subject to the provisions of notification and compensation stated in Section 7 (3) and (4).

If a shipwreck constituting an ancient monument and having no owner is salvaged, it shall accrue to the State.
Section 9. The State County Administration may issue regulations for the protection of an ancient monument.

Regulations may also be issued for an area which, under Section 2, does not belong to the ancient monument, provided that this does not significantly impede current use of the land.

The State County Administration may issue a protection order for a place where archaeological finds have been discovered, if this can be done without causing any significant inconvenience. A protection order may apply until the place has been investigated as provided in Section 8.

Regulations or protection orders may carry contingent fines.

A decision concerning regulations or a protection order is to be suitably advertised.

Interference with ancient monuments and sites

Section 10. Any person intending to erect a building or structure or to carry out any other enterprise should ascertain well in advance whether any ancient monument can be affected by the enterprise and, if such be the case, consult the State County Administration immediately.

If an ancient monument is discovered in the course of digging or other work, the work is to be suspended immediately insofar as it affects the ancient monument. The person directing the work is to report the matter immediately to the State County Administration.

Section 11. If a special survey is needed to find out whether an ancient monument is affected by a planned enterprise involving the use of a considerable area of land, the cost of the survey is to be borne by the entrepreneur. Development of this kind includes, for example, the construction of a public highway, a large private road, a railway, an airport, an energy supply facility, a large water project and particularly extensive construction for purposes of housing, industry or commerce.

Special survey orders are made by the State County Administration Board. In its order the County Administration Board shall indicate who is to carry out the investigation.

Section 12. Any person wishing to displace, alter or remove an ancient monument must apply to the State County Administration for permission.

The State County Administration may not grant such permission unless the ancient monument causes a hindrance or inconvenience out of all reasonable proportion to its significance.

In the case of the owner of a shipwreck or of an archaeological find belonging to a shipwreck, permission may be granted unless there are special reasons to the contrary.

If any person other than the owner of the land or water area or the owner of the shipwreck applies for permission, the application is to be refused if the owner objects to the measure and if there are no particular reasons why the application should be allowed.
Section 13. As conditions for permission under Section 12, the State County Administration may make reasonable stipulations for a special investigation to record the ancient monument or special measures to preserve it. The permit shall as far as possible indicate the estimated cost of the measures to be taken.

Before considering an application under Section 12, the State County Administration may decide on a preliminary archaeological investigation of the ancient monument if this is necessary in order to provide an adequate basis of assessment or to gauge the necessity of stipulating a special investigation.

In its order for a preliminary archaeological investigation or a special investigation, the County Administrative Board shall indicate who is to carry out the investigation.

Section 14. The person conducting an enterprise affecting an ancient monument shall bear the cost of measures referred to in Section 13.

The entrepreneur, however, shall not bear any expense which
1. relates to a previously unknown ancient monument,
2. substantially exceeds the amount indicated by the State County Administration in its permit as referred to in Section 13(1),
3. refers to a preliminary archaeological investigation as provided in Section 13(2), if the State County Administration does not grant permission for interference with the ancient monument under Section 12(2), or
4. refers to a preliminary archaeological investigation or special investigation under Section 13, if it is found that no ancient monument is affected by the enterprise.

Decisions under this section are made by the State County Administration and served to the entrepreneur.

Section 15. Any person refused permission under Section 12 with reference to an ancient monument which, when discovered, was completely unknown and without visible sign above ground, is entitled to reasonable compensation out of public funds if the ancient monument causes him substantial hindrance or inconvenience. An application for such compensation is to be addressed to the State County Administration. The application must reach the State County Administration within two years of the ancient monuments being discovered as a result of digging or other work, otherwise the right to compensation will lapse. These provisions on compensation are not to apply if the land is expropriated.

Compensation for hindrance or inconvenience is to be deposited with the State County Administration. As regards the distribution and disbursement of amounts deposited and the legal consequences of distribution and disbursement, the provisions of the Expropriation Act (1972:719) concerning the granting of tenancy or servitude shall be applicable in relevant parts. The amount, however, is paid to the applicant directly if it is essentially of no importance to any other proprietor than the applicant.
Redemption and reward in connection with archaeological finds

Section 16. For the redemption of an archaeological find which, under Section 4, must be offered for redemption, payment is to be rendered at an amount which is reasonable having regard to the nature of the find, but in the case of objects of precious metal not equalling less than the value of the metal by weight, augmented by one-eighth.

A special reward may also be paid for archaeological finds.

Questions of redemption, compensation and reward are to be dealt with by the Central Board of National Antiquities.

Distribution of finds

Section 17. Through the distribution of finds, the Central Board of National Antiquities may assign the right of the State to an archaeological find to a museum undertaking to care for it adequately for the future.

The aforesaid also applies to a wreck as referred to in Section 4(4).

Metal detectors

Section 18. Apparatus which can be used for electronically detecting metal objects beneath the ground surface (metal detectors) may not be used except insofar as Section 19 or 20 provides otherwise.

Nor may metal detectors be carried on archaeological sites except when travelling on a road which is open to the general public, unless otherwise provided for in Section 19 or 20.

Section 19. The prohibition in Section 18 of the carrying and use of metal detectors does not apply to the Central Board of National Antiquities.

The prohibition in Section 18 notwithstanding, metal detectors may be carried and used in the course of military activities in order to search for things other than archaeological finds.

Furthermore, the provision of Section 18(1) notwithstanding, metal detectors may be used by public authorities in the course of their activities when searching for things other than archaeological finds.

Section 20. Section 18 notwithstanding, metal detectors may be carried and used in investigations, by an agent other than the Central Board of National Antiquities, of archaeological sites or places where archaeological finds have been made, permission having been granted by the County Administrative Board.

The County Administrative Board may also grant permission for the carrying and use of metal detectors in other cases, if there is due cause for so doing.
Section 21. Fines or up to six months’ imprisonment shall be imposed for an offence against the archaeological heritage, on persons who, deliberately or by negligence

1. misappropriate or otherwise acquire, conceal, damage, alter or purvey objects which, under Section 4, accrue to the State or shall be offered for purchase to the State, or

2. unlawfully disturb, remove, excavate, cover over or by building development, planting or in any other way alter or damage an archaeological site.

If an offence as referred to in subsection one has been committed deliberately and is to be deemed aggravated, up to four years’ imprisonment shall be imposed for an aggravated offence against the archaeological heritage. In determining whether the offence is aggravated, it shall be specially considered whether the offender used special equipment or otherwise displayed special cunning, whether the offence was committed habitually, involved archaeological finds of great value or extent or entailed extensive destruction of an archaeological site.

For an attempted aggravated offence against the archaeological heritage or preparation for the same, penalties are to be imposed as provided for in Chap. 23 of the Penal Code.

Section 21a. Fines or up to six months’ imprisonment shall be imposed on persons who, deliberately or by negligence

1. do not report archaeological finds as provided for in Section 5,

2. do not make a report as provided for in Section 10(2) or

3. commit an offence against Section 18.

Section 22. In the event of infringement of an order or regulation pursuant to this Chapter, the Enforcement Authority may lend special executive assistance to rectify matters. Executive assistance may be applied for by the Central Board of National Antiquities and the county administration.

Provisions concerning executive assistance as aforesaid are contained in the Payment Injunctions and Executive Assistance Act (1990:746).

Section 22a. Archaeological finds which have been the subject of offences under this chapter and which do not otherwise, under Section 4(1), accrue to the State, shall be declared forfeit if this is not manifestly oppressive. Instead of the archaeological find, its value may be declared forfeit. Other proceeds of such offence shall also be declared forfeit, if this is not manifestly oppressive.

A metal detector used for an offence under this chapter shall be declared forfeit, if this is not manifestly oppressive. Other equipment used as an aid to the commission of offences under this chapter, or the value of the same, may be declared forfeit if this is necessary for the prevention of crime or if there are other special reasons for so doing.

Section 23. In matters coming under Section 2(2) and Section 9, the State County Administration may, if necessary, issue a provision to apply pending the determination of the matter.
Appeals etc.

Section 24. A decision by the County Administrative Board may be contested by appeal to a common administrative court as regards
1. definition of the boundaries of an archaeological site as referred to in Section 2,
2. special provisions under Section 9,
3. protection orders under Section 9 or
4. permission, as referred to in Section 20, for the carrying and use of metal detectors.

Decisions by the Central Board of National Antiquities pursuant to Section 16 are contested by appeal to an administrative court.

Appeal to the Administrative Court of Appeal is subject to the grant of a review dispensation.

Other decisions made pursuant to this chapter by the County Administrative Board or the Central Board of National Antiquities may be contested by appeal to the Government, unless otherwise indicated by Section 25.

The municipality may appeal against decisions by the County Administrative Board under Section 2(2), Section 9(1)-(4) and Section 12(2).

Section 25. Decisions by the State County Administration are final as regards
1. compensation for expense or damage under Section 7(4),
2. compensation under Section 8(3),
3. orders concerning the cost of a preliminary investigation or special investigation under Section 14(2), or
4. compensation under Section 15(2).

Any person dissatisfied with a decision referred to in sub-section one can file proceedings against the State in the Real Property Court. Proceedings must be filed within one year of the appellant being served with the State County Administration’s decision.

Compensation awarded by a court under Section 15(1) is to be deposited as provided for in Section 15(2).

Chap. 3. Historic buildings

Section 1. A building of outstanding interest on account of its historic value or forming part of a settlement of outstanding historical interest may be declared a historic building by the State County Administration. The provisions of this chapter concerning historic buildings may also be applied to parks, gardens or other amenities of historic interest.

In the case of a building of interest as referred to in sub-section one and belonging to the State, the provisions issued by the Government concerning State-owned historic buildings shall apply. If a State-owned historic building is transferred to non-State ownership, it shall ipso facto constitute a historic building under this Act.

The provisions of this chapter do not apply to a building constituting an ancient monument or church building under this Act.
Implications and scope of protection

Section 2. When a building is declared to be a historic building, the State County Administration is to indicate, by means of a protective order, the way in which the building is to be cared for and maintained and the respects in which it may not be altered.

If necessary, the protective order may also include provisions to the effect that an area surrounding the building is to be kept in such a state that the appearance and character of the historic building will not be travestied.

Section 3. Protective orders are as far as possible to be framed in consensus with the owner of the building and the owner of the surrounding land. The obligations imposed on the owner must not exceed what is absolutely necessary for the maintenance of the historic interest of the historic building. Allowance is to be made for the use of the building and the reasonable wishes of the owner.

Declaration of historic buildings

Section 4. The question as to whether a building should be declared a historic building can be raised by any person by application or by the State County Administration on its own initiative.

An application for a building to be declared a historic building must include particulars of the property on which the building is situated, particulars concerning the owner of the property and a description of the building. The application should also indicate the circumstances pleaded as grounds for declaring the building to be a historic building. Before making any decision which, under this chapter, can entitle the owner or any other person to compensation or redemption payment, the State County Administration is to investigate whether funds for this purpose are available.

Section 5. When the question of a building being declared a historic building has been raised or initiated, the State County Administration, pending the determination of the matter, may prohibit measures which may reduce or destroy the historic value of the building. This prohibition may be valid for up to six months. It may be prolonged if there are very strong grounds for doing so, but not by more than six months at a time.

Section 6. If there is a presumption of a building being considered for designation as a historic building, the State County Administration may, without the question of designation as a historic building having been raised, ordain that the State County Administration is to be notified before the building is demolished or altered in any way substantially impairing its historic value.

Within a month of being notified, the State County Administration is to decide whether it will initiate the question of declaring the building concerned to be a historic building. During this respite, the measure of which notice has been given may not be taken unless sanctioned by the State County Administration.
Section 7. If a State-owned historic building has been transferred to become a historic building under this chapter, a declaration to this effect is to be issued by the State County Administration.

Section 8. The State County Administration is to notify the registration authority without delay, for an entry to be made in the land register,  
1. when the question of a building being declared a historic building has been raised or initiated or a declaration has been issued under Section 7,  
2. when an order under Section 6(1) has been issued or cancelled,  
3. when a decision concerning designation as a historic building has acquired force of law or been cancelled,  
or  
4. when an application for designation as a historic building has been refused.

Section 9. The Central Board of National Antiquities, the State County Administration or the person working on behalf of the State County Administration is entitled to be admitted to buildings and their curtilages and to undertake there such measures and inquiries as are needed for the implementation of this Act.

Provisions concerning compensation and redemption

Section 10. The owner of a property and any person with a special title to the same is entitled to compensation from the State if the protective order  
1. constitutes an impediment to the demolition of a building and the damage thus entailed is substantial in relation to the value of the part of the property affected, or  
2. otherwise considerably impedes current use of the land within the part of the property affected.  
Compensation under subsection one may, if appropriate, be paid in annual amounts, the party concerned or the State being entitled to re-assessment in the event of a change of circumstances.
If a protective order gravely impairs the use of the property, it should be the duty of the State to purchase the property if the owner so requests.  
The provisions of subsection one shall also apply when a prohibition under Section 5 has been issued by the State County Administration. Compensation then paid shall, if there are grounds for so doing, be set off against compensation which may subsequently become payable under this section.
For the purposes of subsections one and three, and notwithstanding the provisions of Sections 11 and 20 or Chap. 15, Section 4 of the Planning and Building Act (1987:10), concerning the lapsing of claim or entitlement to compensation or redemption payment, consideration shall also be had to other decisions concerning protective orders and to decisions referred to in Chap. 14, Section 8(1), (2) and (3) of the Planning and Building Act, or is provided that these decisions were made not more than ten years before the latest decision concerning protective orders.
Section 11. If the question has been raised of a building being declared a historic building, the State County Administration may order the person wishing to claim compensation or redemption payment to notify the State County Administration to this effect within a certain length of time, not less than two months after receiving the injunction to do so. An injunction of this kind shall be accompanied by particulars concerning the protective order to be issued. Any person failing to give notice of this claim within the prescribed period will thereby have lost his entitlement to compensation or redemption payment.

Decisions concerning compensation and redemption are made by the State County Administration.

Agreements between the State and a concerned party or what they have manifestly assumed is to apply between them with regard to compensation or redemption are also to apply to any persons subsequently acquiring the right of the party.

Section 12. If, as a result of a decision pursuant to this chapter, the value of a property declines to such an extent that it can no longer be presumed to constitute full security for the creditors, the compensation to which the property owner is entitled under Section 10 is to be deposited with the State County Administration. This provision, however, only applies to creditors who had mortgage claims on the property when the right of compensation arose and to compensation amounts which are immediately payable.

A creditor suffering damage due to deposits not having been made as provided in sub-section one is entitled to compensation from the State. Compensation is provided against write-down on the mortgage deed. The same applies if a creditor has incurred a loss due to compensation being underestimated and not having been tried by a court, owing to an agreement between the State and the property owner or for some other reason.

Section 13. In matters of compensation or redemption under Section 10 or Section 12(2) of this Act, the Expropriation Act (1972:719) is to apply insofar as the present Act does not contain any provision to the contrary.

Compensation for reduction of the market value of the property in cases referred to in Section 10 is to be determined as the difference between the market value of the property before and after the decision. For this purpose, expectations concerning a change in the use of the land are to be disregarded.

Compensation for damage under Section 10(1)(1) is to be reduced by an amount corresponding to that which, according to the same paragraph, is to be tolerated without compensation.

If the State so requests and if it is not manifestly oppressive to do so, the Court shall ordain that compensation under Section 10(1) is not to be paid until certain measures have been carried out on the building.

If a claim for compensation or redemption filed by the property owner or another party in the matter is disallowed, the court may ordain that he is to pay his own costs, if he has filed the proceedings without proper cause. If the proceedings have manifestly been instigated without reasonable grounds, the court may also order him to reimburse the State for its legal costs.
Alteration and cancellation

Section 14. If there are special reasons for doing so, the State County Administration may sanction alterations to historic building in contravention of the protective order.

The State County Administration may make this permission subject to such conditions as are reasonable in view of the conditions prompting the alteration. The conditions may refer to the manner in which the alteration is to be carried out and the documentation needed.

Section 15. If the preservation of a historic building entails hindrance, inconvenience or expense out of reasonable proportion to the importance of the building, the State County Administration may adjust the protective order or cancel the designation as historic building. The State County Administration may also cancel the designation of a historic building if the designation is found to serve no purpose.

The Government may cancel the designation of a historic building or adjust the protective order if it grants permission for expropriation relating to the building or a surrounding area and the designation as historic building or the protective order cannot be maintained without inconveniencing the purpose of the expropriation.

When resolving to cancel the designation of a historic building or to adjust a protective order, the State County Administration or the Government may ordain that the person requesting the cancellation or adjustment is to pay for special documentation of the building, if it is reasonable to do so.

Liabilities etc.

Section 16. If the owner of a historic building neglects what is incumbent upon him under the protective order, the State County Administration may issue him with an injunction to take necessary measures within a certain reasonable period. The injunction may not comprise measures which, in view of the use of the building and circumstances generally, are oppressively burdensome. If the injunction is not complied with, the State County Administration may carry out the measures at the owner's expense.

Section 17. If a historic building has been altered in contravention of a protection order issued previously, the County Administrative Board may issue the owner with an injunction to reverse the alteration if this is possible. An injunction of this kind may carry a contingent fine.

The Enforcement Service may provide special executive assistance in order to curtail the ongoing destruction of a historic building or in order to reinstate it. Executive assistance may also be ordered in other cases, if necessary in order to secure compliance with a provision of this Chapter.

Executive Assistance may be applied for by the County Administrative Board. Provisions concerning such executive assistance are contained in the Payment Injunctions and Executive Assistance Act (1990:746).
Section 18. Fines will be imposed on any person who
1. contrary to a protective order, demolishes or otherwise destroys a historic building or alters it without permission under Section 14 or without observing conditions attaching to such permission, or
2. violates a prohibition issued under Section 5 or an order under Section 6(1) or takes measures contrary to the provisions of Section 6(2).
A person omitting to comply with a penal injunction or a penal prohibition will not incur a penalty for the matter coming under the injunction or prohibition.

Appeals etc.

Section 19. Decisions by the County Administrative Board may be contested by appeal to a common administrative court as regards
1. designation of a historic building under Section 1,
2. a protection order under Section 2,
3. prohibition of measures under Section 5,
4. duty of notification under Section 6,
5. deposit under Section 12(1),
6. information or conditions for permission under Section 14,
7. adjustment of a protective order or cancellation of the designation of a historic building under Section 15(1),
8. documentation under Section 15(3),
9. an injunction under Section 16 or
10. an injunction under Section 17(1).
A decision by the County Administrative Board not to declare a building a historic building may be appealed by the Central Board of National Antiquities only.
Appeal to the Administrative Court of Appeal is subject to the grant of a review dispensation.

Section 20. Decisions by the State County Administration concerning compensation and redemption are final. Any person dissatisfied with such a decision may bring proceedings against the State in the Real Property Court within one year of being apprised of the State County Administration’s decision. If no proceedings are filed within this period, the claim to compensation or redemption payment will lapse.
When the question of designating a building as a historic building has been raised or is under discussion, the State may file proceedings in the Real Property Court against a party in the matter concerning the definition of the conditions to which compensation is to be subject. If no decision concerning the designation of a historic building is made within one year of the case being determined through a binding judgement, the judgement shall cease to be binding on the parties.
Proceedings concerning compensation under Section 12(2) are to be filed with the Real Property Court.

Section 21. Decisions under Section 1, 5 or 6 are to be implemented regardless of any appeal lodged against them.
Chap. 4. Church property of historic interest

Section 1. Items of historic value forming part of church buildings, church sites, church furnishings and burial grounds are protected under the provisions of this chapter.

Church buildings and sites

Section 2. Church buildings and church sites are to be cared for and maintained in such a way that their historic value is not diminished and their appearance and character are not travestied.

Church buildings for the purposes of this Act are buildings consecrated for the rites of the Church of Sweden and cared for by an ecclesiastical municipality, as well as administratively autonomous cathedrals.

A church site is an area surrounding a church building, connected with the function and environment of the building and not constituting a burial ground.

Section 3. Church buildings erected, or church sites constituted, before the end of 1939 may not be altered in any essential respect without permission from the County Administrative Board.

In the case of a church building, permission must always be obtained for demolition, relocation or reconstruction of the building, as also for interference with or alteration of its exterior and interior, permanent fittings and artistic decorations included, and for alterations to its colour scheme.

In the case of a church site, permission is always required for enlargement of the site and for the erection or significant alteration of buildings, walls, portals or other permanent features of the site.

The County Administrative Board may define such conditions for permission as are reasonable, having regard to the circumstances prompting the alteration. The conditions may refer to the manner in which the alteration is to be carried out and the documentation needed.

Section 4. If the Central Board of National Antiquities so resolves, the provisions of Section 3 concerning applications for permits are also to apply concerning a church building or a church site which came into being after 1939 and is of outstanding historic interest.

Section 5. Customary maintenance work or urgent repairs may be carried out without permission. Measures of this kind are to be carried out using materials and methods appropriate to the historic value of the building or facility.

Church furnishings

Section 6. Furnishings of historic value belonging to a church building or other ecclesiastical building or burial ground are to be properly kept and cared for.
Section 7. Every parish and every autonomous cathedral is to keep a list of church furnishings of historic value. The list is to indicate whether an item is owned or administered by any other person than the parish or cathedral and whether it is kept in any other place than the church.

The list is to be kept by the vicar and by a church warden appointed by the select vestry, who must be a permanent or alternate member of the same. These persons are also to ensure that the items concerned are properly stored and cared for.

Section 8. The rural dean is to verify at least every six years that all items listed still remain. Similar verification is to be made in connection with the accession of a new vicar or church warden as referred to in Section 7(2). In a parish where the rural dean is a vicar, the bishop is to ensure that verification takes place.

Section 9. In the case of a listed item not belonging to any individual person or family, permission is required from the County Administrative Board in order

1. to dispose of it,
2. to delete it from the list,
3. to repair or alter it, or
4. to move it from the place where it has long since belonged.

Permission is required for minor repairs. Such repairs may not be carried out in such a way as to reduce the historic value of the item concerned.

Section 10. The County Administrative Board and the Central Board of National Antiquities may inspect church furnishings.

The County Administrative Board may also order the addition of an item to the list.

If there is a serious danger of an item being damaged, the County Administration may impound it until further notice or take some other necessary measure for its protection or care. Before any such measure is taken, consultations shall be held with the rural dean or the bishop and, if the item is owned by a private person, with that person.

Burial grounds

Section 11. In the care of a burial ground, due regard shall be had to its importance as part of our cultural environment. Burial grounds are to be cared for and maintained in such a way that their historic value is not reduced or travestied.

Section 12. For the purposes of this chapter, burial grounds are areas or spaces as referred to in Section 13 of the Burials Act (1990:1144).

The provisions concerning burial grounds also apply to buildings on a burial ground which are not church buildings, and also to permanent objects such as walls and portals.

The provisions concerning burial grounds also apply to such buildings at the burial ground as are not church buildings, and also to permanent installations such as walls and portals.
Section 13. In the case of a burial ground laid out before the end of 1939, permission must be obtained from the State County Administration
1. in order to enlarge or otherwise essentially alter the burial ground,
2. to erect there any new building or permanent installation or to demolish or essentially alter an existing building or permanent installation.

Section 14. If the Central Board of National Antiquities so decides, the provisions of Section 13 will also apply with respect to a burial ground laid out after the end of 1939, if the burial ground adjoins a church building erected before then or is of outstanding historic interest.

Section 15. If, in a burial ground or in a building on a burial ground owned and administered by a secular municipality there are items of historic value, the provisions of Sections 6, 7, 9 and 10 are also to apply to those items. The municipality shall then be responsible for the listing, storage and care of those items. Instead of the provision made in Section 7, the list is to indicate whether an item is owned or administered by any other agency than the municipality.

Appeals

Section 16. Decisions referred to in Sections 3, 9 and 13 may be contested by appeal to a common administrative court. Such decisions may always be appealed by the cathedral chapter.
Appeal to the Administrative Court of Appeal is subject to the grant of a review dispensation.
Decisions pursuant to Sections 4, 10 and 14 may be contested by appeal to the Government.

Chap. 5. Safeguards against the exportation of certain items of historic interest

Section 1. Swedish and foreign items of historic interest referred to in this chapter and of major importance to the national heritage may not be taken out of the country without special permission.

Section 2. The term Swedish items of historic interest refers to items which were actually or presumably made in Sweden or in some other country by a Swede.
The term foreign items of historic interest refers to items made in another country by a non-Swede.
For the purposes of determination under this Act, Sweden’s boundaries at 1st July 1986 shall decide whether an object is to be deemed a Swedish item of historic interest.
Export permits

Section 3. Any person wishing to export an item of historic interest from Sweden must obtain permission to do so if the item is of the kind referred to in Sections 4 and 5.

Section 4. Swedish items of historic interest:
1. Items made before 1600, whatever their value:
   (a) printed works, maps and pictures and
   (b) manuscripts on parchment or paper.
2. Items more than 100 years old, whatever their value:
   (a) drinking vessels, harness and textile implements if they are made of wood and have painted or carved decorations,
   (b) folk costumes and embroidered or pattern-woven traditional textiles,
   (c) tapestry paintings,
   (d) furniture, mirrors and caskets,
   (e) long-case clocks, wall clocks and bracket clocks
   (f) signed faience
   (g) musical instruments and
   (h) firearms, edged weapons and defensive weapons.
3. Items more than 100 years old and worth more than SEK 50,000, insofar as they are not referable to point 2:
   (a) paintings, drawings and sculptures,
   (b) items of pottery, glass and porphyry,
   (c) items of gold, silver and bronze, with the exception of coins and medals, and
   (d) chandeliers and woven tapestries.
4. Items more than 50 years old and worth more than SEK 2,000, insofar as they are not referable to point 1 or 2:
   (a) Lapp (Sami) items,
   (b) unprinted minutes, letters, diaries, manuscripts, music and accounts,
   (c) hand-drawn maps and drawings, and
   (d) technical models and prototypes and scientific instruments.

Section 5. Foreign items of historic interest which presumably came to Sweden before 1840 and are worth more than SEK 50,000:
(a) furniture, mirrors and caskets,
(b) long-case clocks, wall clocks and bracket clocks,
(c) musical instruments,
(d) firearms, aged weapons and defensive weapons,
(e) paintings, drawings and sculptures,
(f) items of pottery, glass and ivory,
(g) items of gold, silver and bronze with the exception of coins and medals, and
(h) chandeliers and woven tapestries.

Section 6. Permission is also required for the exportation of part of an item referred to in Section 4 or 5.
Section 7. An item of historic interest may be taken out of the country without permission if

1. the owner of the item migrates from Sweden to settle in another country,
2. the item has been acquired, through inheritance, legacy or partition, by a private person domiciled in another country,
3. the item is exported by a public institution in this country or an institution receiving a grant from the State, a municipality or a county council and is to be brought back to Sweden again,
4. the item is exported by an individual person for use in connection with public cultural activities and is to be brought back to Sweden again or
5. the item has been temporarily borrowed from abroad.

Consideration of applications for export permits

Section 8. Permission for the exportation of an item of historic interest is to be given if the item is not of major importance to the national cultural heritage.

Even if the item is of major importance to the national cultural heritage, permission may be given for its exportation if it is acquired by an institution abroad.

Section 9. Questions concerning export permits are to be determined by the Royal Library, the Central Board of National Antiquities, the National Archives, the National Art Museums or the Nordic Museum Foundation (permit-issuing authorities).

For every type of item classified in Sections 4 and 5, the Government prescribes the permit-issuing authority by which permit applications are to be determined.

Handling of permit applications etc.

Section 10. Permit applications are to be submitted to the Central Board of National Antiquities. If, by authority of Section 9, it has been prescribed that the application is to be determined by another permit-issuing authority, the application is to be transmitted to that authority.

Section 11. If an application relates to more than one of the permit-issuing authorities, the Central Board of National Antiquities will decide which permit-issuing authority is to handle the application. That permit-issuing authority may only determine the matter after consulting the other permit-issuing authority or authorities concerned. In such cases, the application is to be refused if any of the permit-issuing authorities concerned opposes the award of a permit.
Section 12. A person applying for permission to export an item shall append two monochromed photographs of the item to the application. No photographs are needed, however, if the application refers to items referred to in Section 4(1)(a) and (4)(b). Nor are photographs necessary if the permit-issuing authority waives this requirement.

The applicant shall, at the request of the permit-issuing authority, place the item at its disposal for inspection.

Section 13. The Administrative Procedure Act (1987:223) is also to apply to permit cases handled by the Nordic Museum Foundation. A case of this kind is to be sided by the Governor of the Foundation or by some other official appointed by the Governor for the purpose.

Section 14. The Government or the authority appointed by the Government may issue regulations on charges to cover the costs entailed by cases relating to exports.

Appeals

Section 15. If an export permit application has been refused by a permit-issuing authority, the decision may be contested by appeal to a common administrative court.

Appeal to the Administrative Court of Appeal is subject to the grant of a review dispensation.

Other decisions made by a permit-issuing authority under this Chapter are final.

Governmental permission

Section 16. Even if an item of historic interest is of major importance to the national cultural heritage, the Government may allow it to be taken out of the country if there are very strong reasons for doing so.

Penalties

Section 17. Provisions concerning penalties for the illegal exportation of items of historic interest and for attempted offences of this kind are contained in the Contraband (Penalties) Act (1960:418).

Chap. 6. Return of unlawfully removed cultural objects

Section 1. A cultural object unlawfully removed after 31st December 1994 from a State included in the European Economic Area (EEA) and present in Sweden shall, on request, be returned to that state.
Definitions

Section 2. For the purposes of this Chapter, a cultural object is an object which

1. in the State from which it has been removed is regarded as a national treasure possessing artistic, historic or archaeological value under legislation or administrative procedures within the meaning of Article 36 of the Treaty of Rome, and

2. belongs to one of the categories indicated in the annex to this Act or is an integral part of the inventory of an ecclesiastical institution or an integral part of a public collection and included in the inventory of a museum, an archive or a library's conservation collection.

   A public collection is a collection owned by
   - a State as referred to in Section 1,
   - a local or regional authority in such a State, or
   - a public institution in such a State which is owned or to significantly financed by the State or by a local or regional authority.

Section 3. A cultural object has been unlawfully removed if it has been removed from the territory of a State in breach of the rules of that State for the protection of national treasures, or if the object has not been returned at the end of a period of temporary lawful removal, or if some other condition attaching to the removal has been breached.

Filing of proceedings

Section 4. The State from whose territory the cultural object has been removed can initiate proceedings for its return with a common court. The proceedings shall be brought against the party in possession of the object.

   A summons application in proceedings as aforesaid shall be accompanied by a document describing the object as indicating that it is a cultural object, and also by a declaration by the appropriate authority in the requesting State, to the effect that the object has been unlawfully removed.

   If the object is owned by a party other than the party in possession of it, the court, if the owner is known, shall notify him of the filing of proceedings. The same shall apply concerning a party having a special title to the object.

Section 5. On application being made by the State from whose territory a cultural object has been unlawfully removed, the court may order a measure to secure the object. The provisions of Chap. 15, Sections 2, 5, 7, 8 and 10 of the Code of Judicial Procedure shall then apply. In this context, superior title to certain property shall refer to the right of obtaining restitution of the property.

Section 6. Return proceedings shall be brought within one year of the requesting State becoming apprised of the whereabouts of the object and of who was in possession of it. Proceedings, however, may not be brought more than 30 years after the object was illegally removed. In the case of an object belonging, under section 2, to a public collection and church furnishings
enjoying special protection under the law of the requesting State, proceedings may, however, be brought within 75 years after the removal.

If the removal is no longer illegal when proceedings are brought, the claim shall be dismissed.

Compensation

Section 7. If a cultural object is to be returned, the party in possession of the object is entitled, on his own account, to fair compensation from the requesting State, if the party in possession has shown due care and attention in acquiring the object and as regards the manner in which the object was removed from the requesting State. A party who acquired the object through inheritance, bequest or gift is entitled to compensation only if the party from whom the object was acquired would have been so entitled.

The compensation shall be fixed in the proceedings concerning return of the cultural object.

Investigation

Section 8. On application being made by the authority nominated by the Government (the Central Authority), the District/City Court may order that the authority may carry out an investigation on the premises of a party in order to search for a particular cultural object which has been unlawfully removed from a State as referred to in Section 1.

Permission may be granted only if

1. there is special reason to suppose that the object sought can be found during the investigation,

2. if there is reasonable cause to fear that the party on whose premises the investigation is to be conducted will evade supplying information if he is in possession of the object and

3. the importance of the matter being taken outweighs the encroachment or other detriment which the measure implies to the party affected.

Application shall be made in writing.

If there is reasonable cause to fear that the object will be concealed or some other measure taken in order to prevent or impede return, an order as indicated in subsection one may be made without the opponent being given the opportunity of returning an opinion on the application. Nor, in such case, need the opponent be notified of the court's order before the investigation begins.

The order takes effect immediately unless otherwise determined.

Section 9. An investigation order will show the extent to which the central authority is entitled to gain access to premises, areas of land, vehicles and craft and other spaces.

The provisions of Chap. 28, Sections 6, 7(2) and 9(1) of the Code of Judicial Procedure shall be applied in the investigation.

The authority may request executive assistance from the Enforcement Service in order to carry out the investigation. Chap. 16, Section 10 of the Execution Code shall then apply.
Section 10. If the object sought is found in the investigation, the central authority may impound the object if there is reason to fear that the person in possession, by concealing the object or by taking some other measure, will prevent or impede return.

Section 11. The party affected by impoundment as referred to in Section 10 may file a written request for adjudication of the same with the District/City Court which adjudicated the application for a permit for the investigation. On receiving the request, the Court shall hold a hearing at the earliest possible opportunity and, failing extraordinary calls to the contrary, not later than the fourth day afterwards.

Both the party affected and the central authority shall be summoned to the hearing.

In the hearing, the authority shall state the reasons for the impoundment. The party affected shall be given the opportunity of making a statement. The hearing shall, if possible, proceed without interruption. A stay of proceedings may be ordered only if there are exceptional reasons for so doing. The Court shall make an order immediately after the hearing has been concluded.

Section 12. The Court shall decide how long the impoundment is to continue. The time thus set may not be longer than is absolutely necessary. On no account may an impoundment continue for more than three months.

Section 13. If, as provided in Section 5, a Court has ordered a measure to secure an object, an order for the impoundment of the same object shall cease to apply.

Procedural provisions

Section 14. In proceedings under this Chapter, the provisions of the Code of Judicial Procedure concerning disputes where extra-judicial settlement is not permitted shall apply.

The Judicial Transactions Act (1996:242) shall apply to the handling of questions referred to in Sections 8 and 11. Failing provision to the contrary in this Chapter, the question of jurisdiction shall be determined as provided in Chap. 10 of the Code of Judicial Procedure.

Costs

Section 15. In cases under this Chapter, the provisions of Chap. 18 of the Code of Judicial Procedure shall apply in the matter of costs, with the following alterations. Unless the opponent of the requesting State realised or should have realised that the object had been unlawfully removed, that costs in the District/City Court shall be borne by the State claiming restitution. The same shall apply, in such circumstances, to costs in a superior court if
they were caused by the State appealing. Costs referred to in Chap. 18, Section 6 of the Code of Judicial Procedure shall always be borne, however, by the party causing them.

Section 16. The requesting State shall bear the cost of enforcement of a judgement concerning return of a cultural object.

Applicable law

Section 17. If an unlawfully removed cultural object has been returned, the ownership of the object shall be determined in accordance with the laws of the requesting State.

Annex

Categories referred to in Chap. 6, Section 2(1), paragraph 2.

A. 1. Archaeological objects more than 100 years old which are the products of:
   - land or underwater excavations and finds,
   - archaeological sites,
   - archaeological collections.
2. Elements forming an integral part of artistic, historical or religious monuments which have been dismembered, more than 100 years old.
3. Pictures and paintings executed entirely by hand, on any medium and in any material.
4. Mosaics other than those in category 1 or category 2 and drawings executed entirely by hand, on any medium and in any material.
5. Original engravings, prints, serigraphs and lithographs with their respective plates and original posters.
6. Original sculptures or statuary and copies produced by the same process as the original other than those in category 1.
7. Photographs, films and negatives thereof.
8. Incunabula and manuscripts, including maps and musical scores, singly or in collections.
9. Books more than 100 years old, singly or in collections.
10. Printed maps more than 200 years old.
11. Archives and any elements thereof, of any kind, on any medium, comprising elements more than 50 years old.

1) Which are more than fifty years old and do not belong to their originators.
12.a. Collections\textsuperscript{2} and specimens from zoological, botanical, mineralogical or anatomical collections;
b. Collections\textsuperscript{2} of historical, palaeontological, ethnographic or numismatic interest.
13. Means of transport more than 75 years old.
14. Any other antique item not included in categories A1 to A13, more than 50 years old.

The cultural objects in categories A1 to A14 are covered by this Act only if their value corresponds to, or exceeds, the financial thresholds under B.

B. Financial thresholds applicable to certain categories under A (in ecus).

\begin{itemize}
\item \textbf{VALUE: 0 (Zero)}
\item 1 (Archaeological objects)
\item 2 (Dismembered monuments)
\item 8 (Incunabula and manuscripts)
\item 11 (Archives)
\item SEK 128,000
\item 4 (Mosaics and drawings)
\item 5 (Engravings)
\item 7 (Photographs)
\item 10 (Printed maps)
\item SEK 427,000
\item 6 (Statuary)
\item 9 (Books)
\item 12 (Collections)
\item 13 (Means of transport)
\item 14 (any other item)
\item SEK 1,282,000
\item 3 (Pictures)
\end{itemize}

The assessment of whether or not the conditions relating to financial value are fulfilled must be made when return is requested. The financial value is that of the object in the requested Member State.

\textsuperscript{2} As defined by the Court of Justice in its Judgment in Case 252/84, as follows: "Collectors' pieces within the meaning of Heading No 99.05 of the Common Customs Tariff are articles which possess the requisite characteristics for inclusion in a collection, that is to say, articles which are relatively rare, are not normally used for their original purpose, are the subject of special transactions outside the normal trade in similar utility articles and are of high value"
Transitional provisions

1988:950
1. This Act enters into force on 1st January 1989.
2. The following enactments are repealed through this Act:
   (a) the Ancient Monuments Finds Act (1942:350),
   (b) the Historic Buildings Act (1960:690),
   (c) the Export Prevention (Various Items of Historic Interest) Act (1985:1104).
3. Decisions made under earlier legislation shall, for the purposes of the new Act, be deemed made by authority of the latter.
   The second sentence of Chap. 4, Section 16 shall apply only in cases opened after this Act enters into force.
   Earlier provisions continue to apply with regard to appeals against decisions made before 1st January 1989. Cases referred to the Government by the end of 1988 but still pending at that time will be handled in accordance with earlier provisions.
4. If a protection order or a prohibition under Section 7 of the Historic Buildings Act (1960:690) was made by the County Administrative Board before 1st July 1987, the compensation provisions applying previous to that date shall be complied with.
5. For the purposes of Chap. 3, Section 10(5), decisions made prior to the entry into force of this Act shall also be taken into account.
   In judicial proceedings under Section 5 of the Historic Buildings Act (1960:690), instigated before 1st July 1987, Section 12(2) of the said Act shall apply as worded before 1st July 1987.
6. Points 2 and 3 of the interim provisions accompanying the Export Prevention (Various Items of Historic Interest) Act (1985:1104) shall continue to apply.

1991:872
This Act enters into force on the date determined by the Government. Earlier provisions shall continue to apply with regard to judicial proceedings concerning executive assistance instigated before the said entry into force.

1994:1425
This Act enters into force on 1st January 1995. If an application has been made prior to the said entry into force, earlier provisions shall apply.

1995:72
This Act enters into force on 1st April 1995. Decisions made prior to the said entry into force shall be appealed in accordance with earlier provisions.

1995:560
This Act enters into force on 1st July 1995.
   Earlier provisions apply to permit applications received by the Central Board of National Antiquities before 1st July 1995.
Cultural Monuments Ordinance (1988:1188)
with amendments up to and including SFS 1995:1448

General provisions on consultation etc.

Section 1. Before making a decision in a matter under the Cultural Monuments (etc.) Act (1988:950) which can entail liability for compensation or is otherwise of major importance, the County Administrative Board shall consult the Central Board of National Antiquities and the National Historical Museums, hereinafter collectively termed the Central Board of National Antiquities.

Section 2. In its supervision of heritage conservation in the county, the County Administrative Board shall co-operate with heritage conservation agencies within the county, and in particular with the county museums and corresponding museums.

Section 3. On the County Administrative Board having made a decision pursuant to the Historic Monuments Act (1988:950), a copy of the decision shall be sent immediately to the Central Board of National Antiquities. The County Administrative Board shall further notify the Central Board of National Antiquities when the question of prosecution under Chap. 2, Section 21 or Chap. 3, Section 18 of the Cultural Monuments (etc.) Act has arisen. The Central Board of National Antiquities shall also be notified when the question of damages on account of disregard of provisions of the same Act has arisen.

Section 4. The Central Board of National Antiquities shall notify the Land Survey Authority of such permanent archaeological sites as presumably have not yet been entered in the plan register.

Ancient monuments

Section 5. The County Administrative Board shall immediately notify the municipality of decisions in matters referred to in Chap. 2, Sections 2, 9 and 12 of the Cultural Monuments (etc.) Act (1988:950). On a decision having acquired force of law, the County Administrative Board shall notify the Land Survey Authority.

Section 6. The Central Board of National Antiquities shall notify the County Administrative Board before the authority takes a measure referred to in Chap. 2, Section 7 or 8 of the Cultural Monuments (etc.) Act. The County Administrative Board shall consult the Central Board of National Antiquities before taking a corresponding measure. No such notification or consultation is necessary, however, if the measure is a matter of urgency.
Section 7. Before granting any party permission to take measures as referred to in Chap. 2, Section 7 or 8 of the Cultural Monuments (etc.) Act (1988:950), the County Administrative Board shall ensure that the party has sufficient knowledge to carry out the measures in a satisfactory manner.

Section 8. The County Administrative Board, a county museum, a police authority or a coast guard receiving an archaeological find or a report of an archaeological find shall immediately notify the Central Board of National Antiquities in writing of the archaeological find. The notification shall contain a brief description of the archaeological find and of the site, together with the name and address of the finder. If the finder has supplied further information concerning the circumstances of the find, this information shall be appended. The finder shall be given a copy of the notification.

Section 9. If there is presumably an owner of an object reported as an archaeological find but the owner is unknown, the authority which has received the find or the report of the find shall ensure that the find is announced through the agency of the police authority, in keeping with the provisions concerning lost property.


Historic buildings

Section 11. Before a building is declared a historic building, the County Administrative Board shall give the municipality the opportunity of stating an opinion, except where this is manifestly unnecessary.

Section 12. On a decision referred to in Chap. 3, Sections 1, 5-7, 14 and 15 of the Cultural Monuments (etc.) Act (1988:950) having acquired force of law, the County Administrative Board shall notify the municipal committee or committees discharging duties in the planning and building sector.

Section 13. A historic building shall, if the County Administrative Board finds cause for so doing and the owner consents thereto, be provided, through the agency of the County Administrative Board and at the expense of the State, with a notice to the effect that the building is protected under the Cultural Monuments (etc.) Act.

Section 14. The Central Board of National Antiquities shall keep a list of historic buildings in Sweden. The County Administrative Board shall keep a list of historic buildings in the county. The County Administrative Board shall also keep a list of such buildings as are referred to in Chap. 3, Section 6 of the Cultural Monuments (etc.) Act (1988:950).
Section 15. On the question arising of compensation as provided in Chap. 3, Section 10 of the Cultural Monuments (etc.) Act (1988:950), the County Administrative Board shall endeavour to bring about an extra-judicial settlement with the interested parties concerning the amount of compensation.

Section 16. The conditions for a permit as referred to in Chap. 13, Section 14 of the Cultural Monuments (etc.) Act (1988:950) shall always include a condition to the effect that the appearance and state of the building before alteration are to be suitably documented.

Section 17. It follows from Chap. 3, Section 13(1) of the Cultural Monuments (etc.) Act (1988:950) that the Expropriation Act (1972:719) shall apply in certain cases concerning compensation and purchase. Provisions concerning disbursement of compensation to a tenant in tail are contained in point 6 of the transitional provision of the Expropriation Act and in Section 18 of the Expropriation Ordinance (1972:727).

Church property of historic interest

Section 18. In matters referred to in Chap. 4 of the Cultural Monuments (etc.) Act (1988:950), the Central Board of National Antiquities and the County Administrative Boards shall consult with the cathedral chapter if necessary.

Section 19. Church furnishings as referred to in Chap. 4, Section 6 of the Cultural Monuments (etc.) Act (1988:950) include, for example, earlier vestments, censers, vessels, books, altarpieces, crosses and crucifixes, baptismal fonts, other paintings and works of art, ciboria, storage chests, poor-boxes, chandeliers and candlesticks, epitaphs, catchments, banners, achievements, coats of arms, armours, votive ships, church bells, musical instruments and certain earlier funeral monuments.

Section 20. On the County Administrative Board having made a decision as provided in Chap. 4, Section 3, 9 or 13 of the Cultural Monuments (etc.) Act (1988:950), a copy of the decision shall be sent to the cathedral chapter.

Section 21. On the County Administrative Board having made a decision or taken a measure as provided in Chap. 4, Section 10(2) and (3) of the Cultural Monuments (etc.) Act (1988:950), the rural dean shall be notified of the decision or measure. If the decision or measure affects a parish of which the rural dean is the incumbent, the bishop shall be notified instead.

Section 22. Further regulations for the effectuation of Chap. 4 of the Cultural Monuments (etc.) Act (1988:950) are issued by the Central Board of National Antiquities.
Safeguards against the exportation of certain items of historic interest

Section 23. Questions concerning permits for the export of items of historic interest as referred to in Chap. 5, Section 3 of the Cultural Monuments (etc.) Act (1988:950) are examined by the Royal Library, the Central Board of National Antiquities, the National Archives, the National Art Museums and the Nordic Museum Foundation, as apportioned in Sections 24-28.

Section 23 a. Export licences as referred to in Council Regulation (EEC) No. 3911/92 of 9th December 1992 on the export of cultural goods are issued by the Royal Library, the Central Board of National Antiquities, the National Archives, the National Art Museums and the Nordic Museum Foundation, as apportioned in Sections 24-28. In the case of items which do not come under the provisions of Chap. 5 of the Cultural monuments (etc.) Act (1988:950) but for which an export licence is required under the Council Regulations, the export licence shall be issued by the Central Board of National Antiquities.

Export licence applications shall be submitted to the Central Board of National Antiquities.

Section 24. The Royal Library examines permit applications concerning
(a) printed publications, maps and pictures,
(b) non-printed letters, diaries, manuscripts and music when the items emanate from authors and composers.

Section 25. The Nordic Museum Foundation examines permit applications concerning
(a) drinking vessels, harness and textile-working implements if they are of wood and have painted or carved decoration,
(b) folk costumes and embroidered or pattern-woven traditional textiles,
(c) tapestry paintings,
(d) furniture, mirrors and boxes,
(e) long-case clocks, wall clocks and table clocks,
(f) signed faïences,
(g) musical instruments,
(h) firearms, edged weapons and defensive weapons,
(i) Sami (Lapp) artefacts,
(j) technical models and prototypes, as well as scientific instruments.

Applications concerning furniture, mirrors and boxes as well as long-case clocks, wall clocks and table clocks referred to in Chap. 5, Section 5 of the Cultural Monuments (etc.) Act (1988:950) shall, however, be examined by the National Art Museums as provided in Section 27.

Applications concerning boxes, edged weapons and defensive weapons emanating from a church building or from another ecclesiastical building or burial ground in this country shall, however, be examined by the Central Board of National Antiquities as provided in Section 28.
Section 26. The National Archives examine permit applications concerning
(a) manuscripts on parchment or paper,
(b) non-printed minutes, letters, diaries, manuscripts, music and accounting
records,
(c) hand-drawn maps and drawings.
Applications concerning such non-printed matters, diaries, manuscripts
and music as emanate from authors and composers shall, however, be
examined by the Royal Library as provided in Section 24.

Section 27. The National Art Museums examine permit applications
concerning
(a) furniture, mirrors and boxes, as well as long-case clocks, wall clocks and
table clocks referred to in Chap. 5, Section 5 of the Cultural Monuments
(etc.) Act (1988:950),
(b) paintings, drawings and sculptures,
(c) ceramic, glass, gold, silver, bronze, porphyry and ivory objects, and
(d) chandeliers and woven tapestries.
Applications concerning such paintings and sculptures, gold, silver and
bronze objects and chandeliers emanating from a church building or other
ecclesiastical building or burial ground in this country shall, however, be
examined by the Central Board of National Antiquities as provided in
Section 28.

Section 28. The Central Board of National Antiquities examines permit
applications concerning
(a) boxes,
(b) edged weapons and defensive weapons,
(c) paintings and sculptures,
(d) objects of gold, silver and bronze,
(e) chandeliers,
insofar as the objects aforesaid emanate from a church building or another
ecclesiastical building or burial ground in this country.

Section 29. Regulations concerning charges as referred to in Chap. 5, Section
14 of the Cultural Monuments (etc.) Act (1988:950) are determined by the
Central Board of National Antiquities, after consulting the permit-issuing
authority concerned and the National Audit Bureau.

Section 30. More detailed regulations for giving effect to Chap. 5 of the
Cultural Monuments (etc.) Act (1988:950) are issued by the Central Board
of National Antiquities.

Return of cultural objects

Section 31. The Central Board of National Antiquities is the central
authority as provided in Chap. 6 of the Cultural Monuments (etc.) Act
Section 32. As central authority, the Central Board of National Antiquities shall
1. on application being made by another State included in the European Economic Area (EEA), search for more exactly indicated cultural objects which have been unlawfully removed from that State and identify the party in possession of the object,
2. notify States concerned within the EEA when an cultural object has been found in Sweden which has presumably been unlawfully removed from another State included in the EEA and receive corresponding notifications,
3. make it possible for the competent authorities in the state which can claim return of such an object under Chap. 6 of the Cultural Monuments (etc.) Act (1988:950) to verify that it is a cultural object and be such a competent authority in Sweden,
4. in co-operation with the State concerned, take necessary measures to preserve a cultural object discovered as referred to in point 2,
5. take necessary measures to prevent actions for the purpose of avoiding return,
6. act as intermediary between the requesting State and the party in possession of the object, with regard to its return,
7. notify the central authority of the State where the Swedish State has brought proceedings for return and receive corresponding notifications,
8. notify central authorities in other States of the instigation of return proceedings in Sweden and receive corresponding notifications, and
9. in other respects co-operate with central authorities in other States.
Verification as referred to in subsection 1, paragraph 3 shall be effected within two months of notification having been made as provided in paragraph 2 of the same subsection. Failing this, the provisions of paragraphs 4 and 5 of the same subsection shall not apply.

Further provisions

Section 33. The Central Board of National Antiquities or, by authority of the same, the County Administrative Board shall represent the State in judicial proceedings referred to in Chap. 2, Section 25(2) and Chap. 3, Section 20 of the Cultural Monuments (etc.) Act (1988:950).

Transitional provisions

1994:1524
Section 23 a of this Ordinance enters into force on the day when the Act (1994:1500) occasioned by Sweden's affiliation to the European Union enters into force, other provisions on 1st January 1995.

1994:1448
1. This Ordinance enters into force on 1st January 1996.
2. Earlier provisions continue to apply with regard to real property registration authorities established under the Municipal Property Subdivision Authorities and Real Property Registration Authorities Act (1971:133).
The Heritage Conservation Grants Ordinance (1993:379)

Introductory provisions

Section 1. Insofar as funding is available, State Grants under this Ordinance may be made towards
1. alteration etc. of housing development of historic interest,
2. care of settlement of historic interest,
3. care of cultural landscapes and archaeological remains,
4. archaeological examination in connection with housing construction,
5. archaeological examination in connection with minor enterprises, and
6. information etc. in conjunction with ancient monuments and heritage sites.

Alteration etc. of housing developments of historic interest

Section 2. In connection with the alteration, renovation and maintenance of housing development, grants may be made towards historically justified additional expenditure, such as the additional expense of historically justified building works and the cost of participation by special experts in the investigation, planning and conduct of the work. Grants may also be made towards the underpinning of dwelling houses of historic interest.

Section 3. Grants may be made only if the settlement will presumably be preserved for the future.

Section 4. Grants equalling not more than 90 per cent of the additional expense may be made towards the care of historic buildings and settlement deserving of building heritage status, together with other valuable settlement in areas of national interest for heritage conservation.

Grants equalling up to 50 per cent of the additional expense may be made for other settlement of outstanding historic interest.

The Central Board for National Antiquities and the National Historical Museums (the Central Board of National Antiquities) may permit larger grants to be made if there are special reasons for doing so.

Section 5. Grants may be made towards historically justified additional expense on the care mainly of settlement other than dwelling houses. Grants may not be made if the measures augment the utility value.

Grants are subject to the provisions of Sections 3 and 4.

Care of cultural landscapes and archaeological remains

Section 6. Grants may be made towards measures for the care of cultural landscapes and archaeological remains, such as reinstatement of old enclosures and overflow installations, the purchase of fencing, felling and clearance and restoration of ruins.
Archaeological examination in connection with housing construction

Section 7. Grants may be made for investigation and other measures as provided in Chap. 2, Section 13 of the Cultural Monuments (etc.) Act (1988:950) if the archaeological remains are situated in an area of continuous earlier housing development and are affected by supplementary of infill development, or if they are situated in an area where the supply of suitably located and developable land is limited and there is a great need of housing.

Section 8. Grants may only be made if
1. the archaeological remains have no visible marking above ground,
2. the materialisation of the building development is a matter of major public concern,
3. there is no possibility of adapting the building development in such a way that permanent archaeological remains will be unaffected,
4. the cost of the measures is high and
5. special antiquarian qualities will not be damaged by the enterprise.

Section 9. The grants shall correspond to the cost payable by the entrepreneur under Chap. 2, Section 14 of the Cultural Monuments (etc.) Act (1988:950). Cost as aforesaid shall not be taken to include the cost of machine time and heavy labour.

Grants may be made subject to conditions concerning the design of new building development.

Archaeological examination in connection with minor enterprises

Section 10. Grants may be made towards investigation and other measures as provided in Chap. 2, Section 13 of the Cultural Monuments (etc.) Act (1988:950) which, under the said Act, are payable by the entrepreneur if the enterprise
1. is occasioned by an official decision or some other coercive circumstance, or
2. is of limited proportions and, having regard to the circumstances, it is found reasonable that the entrepreneur should be relieved of the cost of the archaeological measures.

An enterprise entailing, for example, minor changes in the use of a building, a structure or an area of land can be deemed an enterprise of limited proportions.

Section 11. Grants may not be made to a national, county council or municipal agency.

Information etc. in conjunction with ancient monuments and heritage sites

Section 12. Grants may be made towards measures to make heritage sites and ancient monuments available to the general public and in order to supply information about them.
Common provisions

Section 13. Grants may cover the whole or part of the amount of the costs, unless otherwise prescribed.

Section 14. Questions concerning grants are examined by the Central Board of National Antiquities or, following authorisation by the Central Board of National Antiquities, by the County Administrative Board.

Section 15. Applications for grants shall be submitted to the County Administrative Board. If the County Administrative Board itself is not to examine the matter, it shall transmit the application documents to the Central Board of National Antiquities together with a statement of its own opinion.

Section 16. Applications shall be made on a form defined by the Central Board of National Antiquities.

Section 17. The authority deciding on the grant may define conditions for the use of the grant, antiquarian participation, documentation, inspection and other accounting and preservation. The decision shall indicate the length of time for which the grant is available.

Section 18. When the measures to which the grant refers have been carried out, an account of the measures shall be given to and, except where unnecessary, the measures inspected by the authority which decided on the grant or by some other agency appointed by that authority.

Section 19. Grants are disbursed on request after the measures and costs to which the grant refers being finally approved by the decision-making authority.

Grants as provided in Section 1, points 4 and 5 may be disbursed directly to the party who carried out the investigation or the measure.

Part of the grant may be disbursed in advance if there are special reasons for so doing. An advance payment may be made subject to conditions concerning its use and concerning surety or other security.

Section 20. The authority which made a decision concerning a grant may revoke the decision and demand partial or full repayment of the grant if
1. the recipient of the grant has furnished incorrect information or otherwise caused a grant to be incorrectly made or made at an excessive amount,
2. a grant has otherwise been made incorrectly or at an excessive amount and the recipient of the grant ought reasonably to have realised this,
3. a grant has been used contrary to prescribed conditions,
4. the condition applying to the grant have otherwise not been complied with, or
5. a decision concerning liability for costs which occasioned a grant as provided in Section 1, points 4 and 5 is amended in such a way as to reduce the liability incurred by the recipient of the grant.
Section 21. Decisions by the Central Board of National Antiquities or the County Administrative Board pursuant to this Ordinance are final.

Transitional provisions

1993:379
1. This Ordinance enters into force on 1st July 1993.
2. The following are repealed through this Ordinance:
   (a) the State Grants (Conservation of Settlement of Historic Interest) Ordinance (1981:447),
   (b) the Permanent Archaeological Remains (Grants Towards Investigation Costs etc.) Ordinance (1988:1189).
3. The provision of Section 6(2) of the Permanent Archaeological Remains (Grants Towards Investigation Costs etc.) Ordinance (1988:1189) shall apply in matters concerning grants towards the cost of examination etc. of permanent archaeological remains as provided in Chap. 2, Section 13 of the Cultural Monuments (etc.) Act (1988:950) if the decision entailing liability for costs under Chap. 2, Section 14 of the same Act was made before 1st July 1993.

1994:323
This Ordinance enters into force on 1st July 1994.
Section 19. Grants are disbursed on a quarterly basis and are to be awarded directly to the party who carried out the investigation of the measure.

Part of the grant may be awarded in advance if there are special reasons for doing so. An advance payment may be made subject to conditions concerning its use and concerning security or other security.

Section 20. The authority which grants a decision concerning a grant may impose the decision and demand partial or full repayment of the grant if:
1. the recipient of the grant has failed to observe the conditions of the grant,
2. the grant has been used for activities not in accordance with the conditions of the grant,
3. the recipient of the grant has not acted in accordance with the conditions of the grant,
4. the conditions applied to the grant have not been complied with,
5. the amount of the grant is not sufficient to cover the costs incurred or
6. the claimant has been unable to produce the necessary documents.