

Translation

Aviation Act (2010:500)

Chapter 1 Introductory provisions

Scope of the Act

Section 1. Aviation within Swedish territory may only be carried out in accordance with this act or other statute, unless otherwise stipulated in EU regulations.

Unless otherwise stipulated in this Act, this Act and regulations issued on the basis of it shall apply also for aviation with Swedish aircraft outside Swedish territory, if this is consistent with applicable foreign law.

Section 2. If it is consistent with applicable foreign law, the following provisions shall apply also for aviation outside of Swedish territory with foreign aircraft, when these are being used within the framework of a Swedish operating licence:

1. Chapters 3-5,
2. Chapter 8, Sections 1 and 4-6,
3. regulations issued on the basis of provisions included under 1 or 2,
4. Chapter 12, Sections 1 and 3 as regards supervision of provisions included under 1-3, and
5. Chapter 13, Sections 1-3, Section 4, paragraph 1 items 6 and 8-11 and paragraph 2, Section 5, Section 6, paragraph 1 item 2 and paragraph 2, and Sections 7, 9 and 13.

Section 3. When in this Act reference is made to countries within the European Union this shall, unless otherwise expressly provided, also include other countries which by means of binding agreements within the

constitutionally regulated area are subject to civil aviation regulations adopted within the cooperation framework of the European Union.

Section 4. The Aerial Transportation Act (2010:510) contains civil law provisions on the conditions for various forms of air transport.

Section 5. For military aviation and other aviation for state purposes, the Act only applies to the extent specified on Chapter 14.

Aviation within Swedish territory

Section 6. An aircraft used for aviation within Swedish territory shall be registered in Sweden or in another country that is a member of the International Civil Aviation Organisation (ICAO), or with which Sweden has an agreement regarding the right to aviation within Swedish territory. An aircraft which is not used for aviation requiring a permit and which is permanently used within Swedish territory shall be registered in Sweden.

If there are special reasons, the government or public authority appointed by the government may issue regulations to the effect that, or in individual cases decide that, aviation may be carried out with other aircraft, as well as the conditions under which this may be done.

The government or public authority appointed by the government may issue regulations to the effect that an aircraft may not be used within Swedish territory for environmental reasons.

Section 7. Aircraft may not be flown at supersonic speed over Swedish territory.

If there are extraordinary reasons, the government or public authority appointed by the government may issue regulations on, or in individual cases a decision on, exceptions to the prohibition. The conditions under which such exceptional aviation may take place may be specified in connection with the issuing of such regulations or decisions.

Further requirements relating to the operation of aircraft at supersonic speed may not be made on the basis of the Environmental Code.

Section 8. The government or public authority appointed by the government may for military reasons issue regulations on, or in individual cases decide on, restrictions or bans on aviation within a particular area of the country (restricted area). Such regulations or decisions may also be issued if necessary in the interests of public order and safety, outdoor recreational activities, nature conservation or environmental protection, or to avoid disturbance of a major general gathering or public event. Regulations which include a ban on aviation, and not just restrictions, and which are issued by

a public authority other than the government, may impose such bans for a maximum of two weeks.

Under exceptional circumstances or when otherwise required in the interests of public safety, the government may issue regulations on temporary restrictions or bans on aviation throughout the country.

Aircraft of special types

Section 9. Regarding aircraft which have no pilot on board or are not engine-driven or which are otherwise of a special type, the government or public authority appointed by the government may issue regulations on, or in individual cases decide on, exceptions to the provisions in Chapter 1, Section 6, paragraph 1 and Chapters 2-8, and otherwise issue any necessary regulations. Exceptions and regulations may not be formulated such that they conflict with flight safety or the public interest. Administrative tasks in connection with regulations may, if the government so prescribes, be delegated by the public authority to some other entity, even if the tasks include the exercise of public authority.

Special regulations apply for such objects as are designed for movement in the air but are not classifiable as aircraft.

Aircraft registered with an international organisation

Section 10. The provisions of this Act that apply to aircraft registered in another country shall apply correspondingly to aircraft registered with an international organisation.

Standards

Section 11. The government or public authority appointed by the government may issue regulations to the effect that equipment used in or for aviation shall follow certain standards when the equipment has a bearing on flight safety.

Chapter 2. Registration, nationality and markings

Registration

Section 1. The Swedish Transport Agency maintains a register of aircraft (the aircraft registry).

Special provisions on the registration of rights in aircraft are included in the Act on the Registration of Rights in Aircraft (1955:227), and special provisions on certain international conditions are included in the Act

Pursuant to Sweden's Accession to the 1948 Convention on the International Recognition of Rights in Aircraft (1955:229).

Special provisions on registration of international interest in mobile equipment and other rights in aircraft and aircraft engines in an international registry can be found in the Act on International Interest in Mobile Equipment (2015:860). Act (2015:868).

Section 2. An aircraft may only be registered in Sweden if it is wholly owned by

1. the Swedish state,
2. a Swedish municipality or county council,
3. a citizen of a country within the European Union (EU country) or the estate of such a person,
4. a company, association, community or foundation of Swedish nationality or with its headquarters in an EU country, or
5. European economic interest groups with their headquarters in Sweden.

Even if conditions as set out in the first paragraph do not obtain, an aircraft may be registered in Sweden if it is used by someone as indicated in the first paragraph who has an operating licence issued in Sweden.

The Transport Agency may in individual cases decide that an aircraft may be registered in Sweden even if conditions as specified in the first and second paragraphs do not obtain. Such a decision may only be made if the aircraft is generally flown from departure points in Sweden.

Section 3. An aircraft registered in a foreign country may not be registered in Sweden unless it is deregistered in the foreign country.

Section 4. The government or public authority appointed by the government may issue regulations to the effect that aircraft may not be registered in Sweden for environmental reasons.

Section 5. An application to register an aircraft shall be made by the owner. The information and background investigation necessary for the registration shall be submitted together with the application, which shall be in writing.

Section 6. An aircraft shall be deregistered if

1. the owner requests it in writing,
2. the requirements in Section 2 are not fulfilled,
3. it has been in an accident or has been destroyed,

4. following a flight it has not been heard from for three months,
5. it has ceased to be an aircraft due to a conversion or other such alteration, or if, without any alterations, it is no longer classifiable as an aircraft, or
6. a person who has been granted a power of attorney authorising deregistration and export pursuant to the Act on International Interest in Mobile Equipment (2015:860), requests it in writing and the power of attorney is registered with the Swedish Transport Agency.

The owner is obliged to report, within a month and in writing, any event that implies the deregistration of an aircraft as specified in the first paragraph, items 2-4. Act (2015:868).

Section 7. If there is a registration for an aircraft in accordance with the Act on the Registration of Rights in Aircraft (1955:227), the aircraft may be deregistered only if the party to whose benefit the registration is has consented to it. The same applies in respect of notes as specified in Section 2a of the same act.

Section 8. If anyone other than the owner uses a registered aircraft for an unspecified period of time or for a specified period of at least one month, the lessor or the user shall report this to the aircraft registry, in writing, immediately following the lease unless the right of use has not been registered in accordance with the Act on the Registration of Rights in Aircraft (1955:227). If the right of use has been registered, a note shall be made in the aircraft registry if the lessor or user requests it.

If a note has been made as described in the first paragraph, the lessor or user shall report to the aircraft registry when a lease for an unspecified period ends, or when a lease for a specified period ends early.

Section 9. An aircraft which is located outside Sweden may, following an application by the party who has acquired the aircraft for a specified period, be registered in an appendix to the aircraft registry provided that the requirements in Sections 2 and 3 are fulfilled and that a registration proscription has not been prescribed under Section 4.

Nationality

Section 10. An aircraft entered in the aircraft registry has Swedish nationality.

The Swedish Transport Agency issues certificates of registration (nationality and registration certificate).

Section 11. An aircraft listed in the appendix to the aircraft registry has Swedish nationality as long as the entry is valid and is regarded as registered in Sweden under Chapter 1, Section 6, paragraph 1.

The Swedish Transport Agency issues certificates of registration in the appendix (temporary nationality and registration certificate).

Section 12. Aircraft shall have nationality and registration certificates when operated in aviation.

If an aircraft is operated pursuant to regulations or decisions issued on the basis of Chapter 1, Section 6, paragraph 2, conditions apply as prescribed by the government or the public authority appointed by the government.

Markings

Section 13. An aircraft entered in the aircraft registry or listed in the appendix to the registry shall be marked with its nationality and registration designation.

A foreign aircraft operated within Swedish territory shall be marked in accordance with the regulations in its country of registration.

If an aircraft is operated pursuant to regulations or decisions issued on the basis of Chapter 1, Section 6, paragraph 2, conditions apply as prescribed by the government or the public authority appointed by the government.

Chapter 3. Airworthiness and compliance with environmental standards

Aircraft airworthiness and compliance with environmental standards

Section 1. An aircraft shall be airworthy and shall comply with environmental standards when used in aviation. The aircraft's owner, or if the aircraft is not used by the owner, the person using it in the owner's stead, is responsible for ensuring that the aircraft is airworthy and complies with environmental standards. Any conditions which have a bearing on airworthiness or compliance with environmental standards shall promptly be reported by the owner or the user to the public authority referred to in Section 8.

An aircraft is considered airworthy if it is designed, built, tested, equipped and maintained in such a way and has such flight characteristics that safety requirements are fulfilled.

An aircraft is regarded as complying with environmental standards if it is designed, built, tested, equipped and maintained in such a way that it does

not cause damage through noise, air pollution, or other similar disturbance. Further requirements in respect of aircrafts' compliance with environmental standards may not be made on the basis of the Environmental Code.

Section 2. The government or public authority appointed by the government may issue further regulations on the conditions under which an aircraft is to be regarded as airworthy and as complying with environmental standards.

Certificate of airworthiness and certificate of compliance with environmental standards

Section 3. When an aircraft has been shown to be airworthy, a certificate of airworthiness is issued. When an aircraft has been shown to comply with environmental standards, a certificate of compliance with environmental standards is issued. The certificates may be limited to a specified period, a specified type of aviation, or aviation within a specified area.

The certificates may be renewed if the aircraft fulfils the requirements for airworthiness and compliance with environmental standards that apply at the time of the renewal.

Section 4. An aircraft used for aviation shall have an airworthiness certificate and a certificate of compliance with environmental standards.

A Swedish aircraft shall have a Swedish airworthiness certificate and a Swedish certificate of compliance with environmental standards, or foreign such certificates which have been approved in Sweden.

A foreign aircraft shall have an airworthiness certificate and a certificate of compliance with environmental standards which have been issued or approved in the aircraft's country of registration and which are recognised in Sweden under an agreement with the country in question. Swedish airworthiness certificates and certificates of compliance with environmental standards are also accepted for foreign aircraft.

A corresponding certificate issued on the basis of provisions of EU law shall be regarded as equivalent to a Swedish certificate as specified in this section.

Section 5. The government or public authority appointed by the government may issue regulations to the effect that, or may in individual cases decide that an aircraft which fulfils the requirements for flight safety may be used for aviation within Swedish territory even if the requirements in Section 4 are not fulfilled. The validity of such a decision may be limited in time.

A decision under the first paragraph may be revoked if the requirements for flight safety or if environmental or noise considerations justify it.

Section 6. Unless decided otherwise, a Swedish airworthiness certificate and a Swedish certificate of compliance with environmental standards become invalid if

1. the aircraft has not been maintained in the prescribed way,
2. prescribed modifications have not been carried out,
3. modifications are made to the aircraft or to its equipment which can be assumed to have a bearing on airworthiness or compliance with environmental standards,
4. the aircraft does not undergo the prescribed inspection or control, or
5. the aircraft or equipment has been damaged in a way which has a clear bearing on airworthiness or compliance with environmental standards.

If other circumstances arise which can be assumed to have a bearing on airworthiness or compliance with environmental standards, it may be determined that the airworthiness certificate and the certificate of compliance with environmental standards are invalid.

An airworthiness certificate or a certificate of compliance with environmental standards which is invalid under the first or second paragraph remains invalid until the aircraft is declared airworthy or in compliance with environmental standards. When an airworthiness certificate or a certificate of compliance with environmental standards is invalid under this section, the holder of the certificate shall, upon request, immediately hand it in to the authority that reviews matters related to certificates of airworthiness and certificates of compliance with environmental standards.

Section 7. The provisions in Sections 3 and 6 apply correspondingly in respect of the approval of foreign certificates of airworthiness and foreign certificates of compliance with environmental standards, and in respect of the renewal and invalidity of such approval.

Section 8. Matters related to certificates of airworthiness and certificates of compliance with environmental standards are reviewed by the public authority appointed by the government for this purpose. The government may issue regulations to the effect that the authority may delegate to a special expert the issuing and renewal of such certificates.

Authorised official's access to aircraft

Section 9. In connection with the review of matters related to certificates of airworthiness and certificates of compliance with environmental standards, authorised officials shall be given access to aircraft. The aircraft's owner or user, as well as its captain and crew, shall participate to the extent that this is

necessary. The tasks of the authorised official shall be carried out in such a way as to cause the least possible inconvenience.

Testing of an aircraft's flight characteristics

Section 10. The government or public authority appointed by the government may issue regulations to the effect that, or may in individual cases decide that an aircraft may be used for aviation even if the conditions of this chapter have not been fulfilled, if such use is necessary for testing an aircraft's flight characteristics, or for other special reasons.

Manufacture and maintenance of aircraft

Section 11. A permit is required from the government or public authority appointed by the government in order to manufacture aircraft as well as accessories and spare parts for aircraft, and to carry out maintenance, repairs and modifications on aircraft, accessories and spare parts.

The government or public authority appointed by the government may issue regulations on, or in individual cases grant, exceptions to the permit requirement, if this can be done with due consideration for flight safety.

Chapter 4. Pilot licences etc.

Qualification to command an aircraft and to serve on board

Section 1. An aircraft may only be commanded by someone who holds a valid pilot licence.

The government or public authority appointed by the government may issue regulations on, or in individual cases grant, exceptions to the requirement for a pilot licence if there are special reasons and if this can be done with due consideration for flight safety.

Section 2. The holder of a pilot licence may only command an aircraft of the category, class and type, and under the conditions and for the qualifications specified in the licence.

Section 3. The government or public authority appointed by the government may issue regulations to the effect that other crew members on an aircraft than the pilot shall hold a valid pilot licence in order to be allowed to carry out certain tasks on board.

Provisions on licences and certificates of qualification for personnel in the ground organisation are included in Chapter 6.

Training

Section 4. A person in training for a pilot licence may operate an aircraft alone under the conditions stated in a student licence issued to her or him.

The government or public authority appointed by the government may issue regulations on, or in individual cases grant, exceptions to the requirement for a student licence. Such exceptions may only be granted to an individual who is regarded as fulfilling the suitability requirements as specified in Section 9, paragraph 1.

Section 5. A person serving as flight instructor shall possess a valid licence for the category, class and type of aircraft that the training is for, as well as such special qualifications as have been prescribed on the basis of Section 10.

The government or public authority appointed by the government may issue regulations on qualification requirements for persons serving as controllers in flight tests and as instructors in flight training on the ground.

Qualification documents

Section 6. Student licences shall be issued in Sweden. The government or public authority appointed by the government may issue regulations to the effect that a licence shall be accepted as a student licence under this Act even if it has not been issued in Sweden. A student licence is valid only if the holder has a valid certificate proving that prescribed medical requirements have been fulfilled (medical certificate).

Section 7. A pilot licence shall be issued or approved in Sweden. A licence is valid only to the extent that the qualifications tied to it are valid and the holder has a valid medical certificate.

This Act also recognises as a pilot licence one which has been issued or approved in another country and which under an agreement with that country or regulations issued on the basis of Section 10 shall be recognised in Sweden. For duty on Swedish aircraft in international traffic, however, a certificate as specified in the first paragraph is required.

The government or public authority appointed by the government may issue regulations to the effect that, or in individual cases decide that a pilot licence issued in another country for a Swedish citizen shall not apply for aviation within Swedish territory.

Section 8. A medical certificate shall be issued or approved in Sweden, or shall be such that under regulations issued on the basis of Section 10 it shall be recognised in Sweden.

Issuing of student licences, pilot licences and medical certificates

Section 9. Student licences or pilot licences may be issued only to persons who have a valid medical certificate and who in respect of their personal circumstances can be considered suitable as holders of a student licence or a pilot licence. The examination of personal circumstances shall concern the applicant's reliability in terms of sobriety and whether he or she can otherwise be expected to respect the rules of aviation and show the consideration and judgement required of a holder of a student licence or a pilot licence.

The provisions in the first paragraph also apply when a student licence or pilot licence is to be renewed, or when a licence is to be expanded, approved or recognised.

Section 10. The government or public authority appointed by the government may issue regulations on

1. requirements in terms of the applicant's age in order for a student licence to be issued,
2. requirements in terms of age, knowledge, experience and skill in order for a pilot licence to be issued,
3. the conditions under which a licence may be expanded, renewed, approved or recognised
4. requirements for special qualifications in order for the holder of a licence to be permitted to carry out certain tasks in aviation if necessary for flight safety, and
5. requirements in terms of the applicant's state of health and physical and mental condition in order for a medical certificate to be issued, approved or recognised.

Section 11. Any person applying for the issuing, expanding, renewal or approval of a pilot licence, or for the qualifications tied to the licence to be renewed, is obliged to undergo the examinations and tests (licence tests) which have been prescribed on the basis Section 10.

The government may issue regulations to the effect that the public authority that reviews matters related to pilot licences may delegate the testing to some other entity.

Section 12. A student licence is issued or renewed for a specified period of time. It may be limited to applying only under certain conditions.

Section 13. A pilot licence is issued, expanded, renewed or approved for a specified period of time. It may be limited to applying only under certain conditions.

Section 14. If a suspension period has been determined under Section 22, paragraph 1, a student licence or pilot licence may not be issued or approved during the suspension period.

Section 15. A medical certificate is issued or approved for a specified period of time.

Revocation and restriction of student licences or pilot licences

Section 16. A student licence or a pilot licence shall be revoked

1. if the holder has violated the provisions in Chapter 13, Sections 2 or 3,
2. if the holder in practising aviation has been guilty of serious negligence or has shown a clear disregard for other people's lives or property,
3. if the holder by repeatedly breaching the rules that apply for aviation has shown a significantly lacking will or ability to abide by the rules,
4. if the holder in practising aviation has in some other respect broken against any rule of essential significance to flight safety,
5. if the holder due to unreliability in terms of sobriety or due to the use of some other substance than alcohol cannot be regarded as a suitable holder of a student licence or a pilot licence,
6. if in view of another crime the holder has committed he or she cannot be assumed to respect the rules of aviation and show the consideration and the responsibility and judgement required of a holder, or if he or she due to other personal circumstances cannot be regarded as a suitable holder of a student licence or a pilot licence,
7. if the holder's conditions for carrying out the aviation activity that the student licence or the pilot licence refers to are so substantially limited due to illness or injury or for any other such reason that he or she should no longer hold a student licence or flying certificate for flight safety reasons,
8. if the holder otherwise fails to meet established requirements in terms of knowledge and skill,
9. if the holder fails to comply with an injunction to undergo a control of his or her ability to perform the duty that the student licence or the pilot licence refers to, or with an injunction to provide a certificate of his or her physical or mental suitability as holder of a student licence or pilot licence,
10. if the holder himself or herself requests it.

Section 17. Revocation under Section 16, item 4, 6, 7, 8, 9 or 10 may in respect of a pilot licence be limited to applying to one or several qualifications.

In such cases as referred to in Section 16, item 5, 6, 7, 8 or 9, a student licence or a pilot licence may be restricted to applying under certain circumstances rather than being revoked.

Section 18. A revocation due to a criminal act shall, in respect of whether a crime has been committed, be based on a judgement which has gained legal force, an approved order of summary punishment, an approved injunction to pay a fine, or a decision on discharge from punishment under Chapter 20 of the Code of Legal Procedure or equivalent provision in another statute.

In the application of this Act, a conviction in a criminal case or other similar decision issued by a foreign court of law or other foreign authority is regarded as equivalent to a Swedish conviction.

Warning or reminder

Section 19. If for special reasons a warning can be considered a sufficient measure in such cases as referred to in Section 16, item 3, 4, 5 or 6, the holder of a student licence or pilot licence shall be warned instead of having their licence revoked.

If there are insufficient reasons for a warning, the holder shall be reminded of the requirements that apply for student licences and pilot licences (reminder).

Revocation until further notice

Section 20. A student licence or a pilot licence shall be revoked or restricted until further notice pending a final decision in the matter if it can be reasonably assumed that the licence will be definitively revoked or restricted.

Confiscation of pilot licences

Section 21. A pilot licence shall be confiscated if the holder in practising aviation has

1. shown clear signs of being under the influence of alcohol or some other substance, or
2. been guilty of serious negligence or has shown clear disregard for other people's lives or property.

A licence may also be confiscated if the holder due to illness or injury or for some other reason is unable to fulfil his or her duties in a manner that is consistent with traffic safety.

A confiscated licence is invalid.

A decision on confiscation of a pilot licence may be issued by the Swedish Police, a prosecutor or the Swedish Transport Agency. The matter of whether confiscation should be followed by an application for a revocation or by the return of the pilot licence to the holder shall be processed expeditiously.

The government may issue further regulations on the confiscation of pilot licences. Act (2014:745)

Suspension period

Section 22. If an application for the issuing or renewal of a student licence or a pilot licence cannot be approved due to the applicant's personal circumstances, a suspension period shall be determined which must pass before the document may be issued. The same applies if a student licence or pilot licence is revoked under Section 16, item 1, 2, 3, 4, 5 or 6. The suspension period shall have a duration of no less than three months and no more than three years. In the case of a revocation under Section 16, item 1 or 2, the duration of the suspension period shall be no less than one year. For the purposes of suspension periods in connection with revocation, the period is calculated from the time that the holder of the student licence or pilot licence was stripped of the qualification.

A suspension period determined in accordance with the first paragraph may, after the decision on duration has gained legal force, be reduced if circumstances arise or emerge and there are extraordinary reasons for a reduction. The duration may not, however, be reduced to a shorter period of time than those specified in the first paragraph's third or fourth sentence.

Abandonment of licence intervention etc.

Section 23. If a student licence or a pilot licence has been revoked until further notice for at least the amount of time that would have been determined as the suspension period, the final decision on revocation may rule that no further action will be pursued. The same applies if the pilot licence has been confiscated.

Renewed licence following revocation

Section 24. An application for the issuing of a pilot licence following revocation may not be considered before the suspension period has ended.

Following a revocation, a new pilot licence may only be issued if the applicant fulfils the requirements in Section 9, paragraph 1 and has completed the licence tests prescribed under Section 10.

Licence control

Section 25. If it can be assumed that a licence holder is unable to carry out the tasks that the licence is for in a satisfactory way, the authority that reviews matters relating to licences may order the holder to undergo the necessary examinations and tests (licence control). A licence holder is also obliged to report to the authority any circumstances which can be assumed to be significant for his or her qualification.

The authority referred to in the first paragraph may also order holders of student licences and pilot licences to present a certificate of their physical and mental suitability as licence holders.

Approval of foreign pilot licences

Section 26. An approval in Sweden of a foreign pilot licence may not remain valid beyond the expiry date of the licence.

Revocations of a Swedish approval of a foreign pilot licence shall be made on the grounds described in Sections 16-25.

Examination of matters relating to student licences and pilot licences

Section 27. The Swedish Transport Agency reviews matters relating to student licences, pilot licences, medical certificates and the approval of foreign licences, except in those cases specified in Section 28.

The government or public authority appointed by the government may commission doctors to issue medical certificates. The government or public authority appointed by the government may issue regulations about the requirements which must be fulfilled for such an appointment.

If a medical certificate has been issued or extended by a commissioned doctor, the Swedish Transport Agency may, within a period of sixty days counting from the date of issue, review whether or not the individual fulfils the prescribed medical requirements, if special circumstances call for it.

Section 28. Following an application, a general administrative court will try matters related to

1. revocation of student licences and pilot licences, and approval of foreign pilot licences,
2. warnings, and

3. reduction of suspension periods imposed by a court under Section 22, paragraph 1.

Matters relating to the revocation or restriction until further notice of student licences or pilot licences are tried by a court only if the document has been confiscated under Section 21, paragraph 1 or otherwise if the matter of revocation or restriction is pending in a court of law.

Section 29. In cases concerning student licences, pilot licences and the approval of foreign pilot licences, the court may order the individual party to present

1. a medical certificate or other certificate of his or her physical and mental suitability,
2. proof that he or she has completed a licence test,
3. proof that he or she has undergone licence control.

Such an order may only be appealed against in connection with an appeal against the decision with which the case was concluded.

Section 30. If in a case concerning the revocation of a student licence, a pilot licence or an approval of a foreign pilot licence the court rules against a revocation, it may issue special conditions for the student licence, pilot licence or approval.

Section 31. In cases tried under Section 28, the public interest is represented by the Swedish Transport Agency.

Flight logbook

Section 32. The government or public authority appointed by the government may issue regulations to the effect that the pilot of an aircraft and one other person shall maintain a flight logbook and on how this is to be done.

Chapter 5. Pilot-in-command and crew, and duties on board the aircraft

Pilot-in-command

Section 1. An aircraft shall have a pilot-in-command when used in aviation.

The government or public authority appointed by the government may issue further regulations on pilots-in-command.

Crew

Section 2. The owner of an aircraft or, if the aircraft is not used by the owner, the person using it instead of the owner, shall ensure that the aircraft is manned in the prescribed way.

The government or public authority appointed by the government may issue further regulations on aircraft crews.

The authority of the pilot-in-command

Section 3. The pilot-in-command has the highest authority on board. If necessary, the pilot-in-command may decide that crew members shall temporarily carry out other tasks than those they were employed for. The passengers shall abide by whatever the pilot-in-command determines regarding order on board.

The pilot-in-command may force the disembarkation of or refuse to allow the boarding of crew members, passengers and cargo when circumstances so require.

Flight preparation and execution

Section 4. The pilot-in-command shall monitor that the aircraft is airworthy. He or she shall ensure that the aircraft is equipped, manned and loaded in the prescribed way. In addition, he or she shall ensure that the flight is prepared for and executed in accordance with current provisions.

In respect of airworthiness, the pilot-in-command has the same obligation to report as the owner does under Chapter 3, Section 1, paragraph 1.

Maintenance of order

Section 5. If a person through his or her behaviour presents an immediate danger to flight safety or to aviation security, the pilot-in-command may take whatever measures against the said person as are necessary to avert the danger.

To carry out these measures, the pilot-in-command may not use harsher means than the circumstances require.

The pilot-in-command should first of all try verbally to correct the person who presented the danger, by means of information and urgings. Force may only be resorted to when other means have failed. If force is resorted to, the mildest form that can be expected to lead to the intended result shall be used. Force may not be used for any longer than absolutely necessary.

Crew members shall give the pilot-in-command whatever assistance he or she needs. Passengers may provide such assistance if urged to do so by the pilot-in-command. If a measure must be applied immediately due to the

nature of the danger, the crew members and passengers themselves may carry it out themselves without being ordered to do so by the pilot-in-command.

Crew members and passengers who provide assistance or otherwise apply measures in accordance with the fourth paragraph have the same right as the pilot-in-command to use force.

Section 6. If a serious crime is committed on board, the pilot-in-command shall apply, if possible, such measures as are necessary for the investigation and that cannot be postponed.

The pilot-in-command shall ensure, if possible, that the perpetrator does not abscond and may detain him or her in order to prevent this. In such cases, the provisions in Section 5 apply. The perpetrator may not be detained without his or her consent for longer than required until he or she can be handed over to a competent Swedish or foreign public authority.

The pilot-in-command may confiscate such objects as can be significant for the investigation. He or she shall provide to the public authority referred to in the second paragraph such information, and convey the objects, as may be significant for the investigation.

Care of passengers, aircraft and cargo

Section 7. If an aircraft finds itself in distress, the pilot-in-command shall do everything he or she can to save the people on board, the aircraft and the cargo carried. If the aircraft must be abandoned, he or she shall ensure, if possible, that the aircraft documentation is safeguarded.

Reporting obligation

Section 8. If an accident occurs during the operation of an aircraft and if the accident results in a person's death, in serious injury to a person, in significant damage to the aircraft or in significant damage to property not carried on the aircraft, the pilot-in-command shall report the incident. He or she shall also report whenever there was a serious risk of such an accident occurring or whenever something occurred that suggested the existence of a significant defect in the aircraft or in the ground organisation.

The owner of the aircraft or, if the aircraft is not being used by the owner, the person using it, shall

1. fulfil the obligations described in the first paragraph if the pilot-in-command is unable to fulfil his or her obligations, and
2. report if an aircraft has disappeared during a flight and it has not been possible to find it.

The government or public authority appointed by the government may issue regulations to the effect that the reporting obligation shall also apply to crew members or to others who have carried out work connected with the flight in question. The government may issue regulations to the effect that accidents and incidents which are significant for flight safety shall be reported even if they are not included in what is referred to in the first and second paragraphs.

Chapter 10 contains provisions on the reporting of incidents in civil aviation.

Ban on serving on board in case of illness, etc.

Section 9. Anyone who cannot fulfil his or her duties in a satisfactory way due to illness, exhaustion, the influence of alcoholic beverages or other substances, or for other such reasons, may not serve on board.

Chapter 6. Airports and other ground organisation

Airports and other departure and landing sites

Section 1. For the purposes of this Act, an airport means an area of land or water which has been wholly or partly arranged so that aircraft can arrive at it and depart from it and move around on the land or water.

Section 2. For take-off and landing of aircraft, an airport shall be used in the first instance. The government or public authority appointed by the government may issue regulations on which airports may be used for different types of aviation.

A land or water area which has not been specially arranged for take-off and landing may be used temporarily or on a restricted scale for those purposes. In cases where take-off or landing would imply appreciable damage or inconvenience for the area's owner or holder, their consent is required. In respect of the matter of using areas which have not been arranged for the purposes of take-off and landing, or which have temporarily been arranged for such purposes, regulations apply as are issued by the government or the public authority appointed by the government.

The provisions in the first and second paragraph do not apply to emergency situations or in other comparable cases.

Section 3. If it is necessary out of consideration for nature conservation or environmental protection, outdoor recreational activities, infrastructure, fishing or commercial activities, the government or public authority

appointed by the government may issue regulations that a certain area may not be used for landing.

Section 4. Airports shall fulfil the requirements of flight safety and aviation security.

Permission to establish an airport

Section 5. For the establishment of an airport, permission is required from the government or the public authority appointed by the government. The same applies if an airport is the subject of alterations, unless these alterations are of minor importance for the use of the airport.

The government or public authority appointed by the government may issue regulations to the effect that, or in individual cases decide that an airport in view of its type, the limited extent of its traffic or of other special circumstances may be established without such permission as referred to in the first paragraph.

Section 6. Permission in accordance with Section 5 may be granted only if the airport is appropriate from a general point of view. In considering applications, particular attention shall be paid to flight safety, the relationship to other aviation and other means of transport, defence considerations and special disruptions.

In the application process, Chapters 3 and 4, and Chapter 5, Section 3 of the Environmental Code shall be applied. A permit which contributes to a failure to meet an environmental quality norm as referred to in Chapter 5, Section 2, paragraph 1, item 1 of the Environmental Code may only be granted if the permit is associated with the requirements needed to fulfil the norm, or if a prerequisite for a permit is present as specified in Chapter 2, Section 7, paragraph 3 of the Environmental Code.

A permit may not be granted in contravention of a local development plan or zoning regulations. If the purpose of the plan or the regulations is not counteracted, however, minor deviations from it may be made. Act (2010:896).

Section 7. When a permit under Section 5 is granted, it may be associated with conditions. If the permit is granted by the government, such conditions may be determined by the public authority appointed by the government.

Operating licences for airports

Section 8. An airport may not begin to operate until it has received flight safety approval and been granted an operating licence by the authority appointed by the government for that purpose. The same applies if an airport has been altered, unless the alterations are of minor importance for the

airport's use. An operating licence shall be granted for a limited period of time. The operating licence shall be granted to the entity running the airport and shall contain the conditions that will apply.

The government or public authority appointed by the government may issue regulations on which flight safety requirements must be fulfilled in order for an area to be used as an airport.

The government or public authority appointed by the government may issue regulations to the effect that, or in individual cases decide that, an airport in view of its type, the limited extent of its traffic or of other special circumstances does not need to have been granted an operating licence before it can begin to be used.

Section 9. If the regulations or conditions referred to in Section 8 are disregarded to a considerable extent, the operating licence shall be revoked by the authority that granted it. This also applies if the airport otherwise does not meet the requirements placed on airports. If it is sufficient for maintaining flight safety, an operating licence may be restricted to apply only for a certain part of the activity or to apply only under certain conditions, instead of being revoked.

An operating licence shall be revoked until further notice pending a final decision on revocation if it can be reasonably assumed that the operating licence will be definitively revoked. If it can be reasonably assumed that the licence will be definitively restricted, it may be restricted until further notice pending a final decision.

Section 10. The entity running an airport shall report any event that implies that the requirements for an operating licence no longer are fulfilled. If required for flight safety reasons, the entity running the airport shall ensure that the installation is not used or that its use is restricted.

Section 11. If an airport which does not need an operating licence before its use begins does not fulfil flight safety requirements, the government or the public authority appointed by the government may, in individual cases, decide that it may not be used or determine under what conditions it may be used.

Other permits

Section 12. The government may issue regulations to the effect that permits are also required to establish and run other aviation installations than airports. Matters regarding permits and the conditions for these are reviewed by the government or the public authority appointed by the government.

Air navigation services

Section 13. Air navigation services shall be in place to secure and facilitate aviation. Activities within air navigation services shall be approved from a flight safety perspective by the government or the public authority appointed by the government. An approval may be revoked by the authority that issued it if the prescribed requirements are not fulfilled.

Air traffic management shall be conducted by the authority appointed by the government.

Air traffic management of the airspace surrounding other airports than the ones owned or run by the state or by a legal person where the government has a dominant influence may however be conducted by the entity running the airport or by an entity which has been commissioned for the purpose by the entity running the airport. The entity conducting this type of air traffic management may provide permissions in the form of clearance and directions for flight paths for aircraft.

The government or public authority appointed by the government may issue regulations for air navigation services. Act (2014:1034).

Professional secrecy

Section 14. Anyone who has carried out tasks in air navigation services may not, without authorisation, reveal or make use of what he or she in the course of the commission or service has learned about private individuals' financial or personal circumstances.

For public activities, the provisions in the Public Access to Information and Secrecy Act (2009:400) apply instead of those in the first paragraph.

Aviation security at airports etc.

Section 15. The Civil Aviation Security Act (2004:1100) and EU legislative instruments referred to in that act contain more detailed provisions on the security of aviation at airports etc.

The government or public authority appointed by the government may, in individual cases, determine that an installation or an activity at an installation used for aviation may not be used or that the activity may not be pursued if the requirements of aviation security are not met, or state under which conditions the installation may be used or the activity pursued.

Order and security etc.

Section 16. No-one may enter any part of an airport to which public access is prohibited and this is made clear by the use of fences, signposts or

similar, except with permission from the entity running the airport. The same applies to other aviation installations.

The government or public authority appointed by the government may issue further regulations on access to airports and other aviation installations and on the order there.

An official carrying out order and security duty at an airport or other aviation installation may turn away or remove anyone from the airport area or installation who is there without authorisation or who is disturbing the order or jeopardising flight safety or aviation security.

Foreign aircrafts' access to airports

Section 17. An airport open for general use shall be open to foreign aircraft in international traffic under the same conditions it is open to Swedish aircraft in such traffic, provided that the foreign aircraft are registered in a country which has entered into an agreement with Sweden about this privilege.

Fees

Section 18. */Ceases to apply U: the date the government decides/*The entity running an airport and anyone providing services to aviation may charge fees for use of the airport, other public installations and services.

To the extent it follows from the 1981 multilateral agreement on en-route charges, the European Organisation for the Safety of Air Navigation (Eurocontrol) shall issue regulations on, impose and collect en-route charges.

Section 18. */Comes into force I: the date the government decides/*The entity running an airport and anyone providing services to aviation may charge fees for use of the airport, other public installations and services.

To the extent it follows from Appendix IV to the revised Eurocontrol International Convention, the European Organisation for the Safety of Air Navigation (Eurocontrol) shall issue regulations on, impose and collect en-route charges. Act (2010:501).

Section 18 a. There are further provisions on fees in the Act on Airport Fees (2011:866). Act (2011:868).

Air traffic controllers etc.

Section 19. Only persons who hold a valid licence for such work may serve as air traffic controllers or flight technicians. The government or public authority appointed by the government may issue regulations on, or in individual cases decide on, exceptions from the licence requirement when

the matter concerns work carried out within organisations that fulfil flight safety requirements in terms of the extent of the work.

The government or public authority appointed by the government may issue regulations to the effect that

1. other personnel with tasks within the ground organisation or with tasks significant for flight safety other than those referred to in Chapter 4 shall possess certificates of qualification,
2. a student licence and medical certificate is required to undergo training for a licence and to receive a licence and certificate of qualification, and on
3. the approval in Sweden of foreign student licences, licences and certificates of qualification.

In respect of student licences, licences, certificates of qualification and medical certificates, the provisions in Chapter 4, Sections 6 and 8-31 apply.

Section 20. The provision in Chapter 5, Section 9 also applies to air traffic controllers in air traffic management and to flight technicians. The government may issue regulations to the effect that the provision in Chapter 5, Section 9 shall apply also to other personnel within the ground organisation with tasks which are significant for flight safety.

Flight obstacles

Section 21. In order to prevent flight safety hazards, the government or public authority appointed by the government may issue regulations on

1. bans on or other restrictions on the placing of markings, lighting and other devices which can constitute such hazards, and
2. the marking of buildings, other installations and objects which can constitute such hazards (flight obstacles).

Regulations issued pursuant to the first paragraph may not lead to any significant detriment for those who own or hold a special right to the land in question.

The government or public authority appointed by the government may issue regulations on measures which may be taken when regulations as specified in the first paragraph are not followed.

Section 22. Regarding costs for the marking of flight obstacles in accordance with Section 21, paragraph 1, the following applies unless otherwise agreed.

When establishing or altering an aerodrome, or associated approach or departure procedures, the costs shall be paid by the entity establishing the airport or applying for permission to change procedures.

When erecting a building or other installation at an existing airport and associated approach or departure procedures, the costs shall be paid by the entity erecting the building or installation.

Section 23. Anyone who is carrying out work on their own account, or having such work done, towards erecting or extending a building or other installation which can constitute a hazard to flight safety, is obliged to submit a report on the works before they begin (flight obstacle report).

The government may issue further regulations on the obligation to submit a flight obstacle report.

Ground services

Section 24. The Aerodrome Ground Services Act (2000:150) contains provisions on access to the market for ground services at airports open to commercial air traffic.

Chapter 7. Permission to conduct aviation operations

Permits related to flight safety

Operating licence

Section 1. Anyone wanting to conduct air transport for the general public against payment shall have an operating licence.

An operating licence shall be issued in Sweden. For a foreign air traffic company domiciled in another country which is a member of the International Civil Aviation Organisation (ICAO), or in a country with which Sweden has an agreement on the right to aviation within Swedish territory, an operating licence or equivalent document issued by that country in accordance with ICAO norms will be accepted as an operating licence as specified in this chapter.

If there are special reasons, the government or public authority appointed by the government may, in individual cases, decide to permit an exception to the first and second paragraphs. Such a decision may refer only to single flights when there is no operating licence or equivalent document.

Section 2. An operating licence may only be issued if it can be shown that the activity can be conducted in a satisfactory way in terms of flight safety,

considering the applicant's qualifications and organisation as well as all other circumstances.

Section 3. An operating licence may only be issued to

1. the Swedish state,
2. Swedish municipalities or county councils,
3. Citizens of a country within the European Union (EU country) who are domiciled in Sweden, or to the estate of such a person,
4. Swedish trading companies all of whose partners are citizens of EU countries,
5. Swedish associations, societies or foundations whose board members are all citizens of EU countries,
6. Swedish limited companies, provided a majority of the capital value and share value is owned by citizens of EU countries or by someone who can obtain a licence under this section,
7. European economic interest groups domiciled in Sweden.

If the owner of a limited company applying for a licence as described in this paragraph is another limited company, the provisions of the first paragraph, item 6 shall apply also to that company.

A licence lapses if the requirements in the first and second paragraphs are no longer fulfilled and a correction is not made within a time period determined by the authority that issued the licence.

The government or public authority appointed by the government may, in individual cases and if there are special reasons, decide to grant an exception to this section.

Section 4. An operating licence shall apply for a specific type of aviation and for specific aircraft. The licence shall be issued for a limited period and shall contain the conditions that apply.

The government or public authority appointed by the government may issue further regulations on operating licences.

Section 5. Matters regarding operating licences are reviewed by the public authority appointed by the government.

Section 6. If a licence holder materially disregards the regulations or conditions for the activity, the operating licence shall be revoked. The licence shall also be revoked if it must be assumed that the holder cannot maintain the activity. Provided it is sufficient for maintaining flight safety,

an operating licence may instead be restricted to applying for a certain part of the activity or under certain conditions.

An operating licence shall be temporarily revoked pending a final decision on revocation, if it can be reasonably assumed that the operating licence will be definitively revoked. If it can be reasonably assumed that the licence will be definitively restricted, it may be restricted until further notice pending a final decision.

Section 7. The holder of an operating licence shall report if anything happens which implies that the requirements for an operating licence will no longer be fulfilled.

Aerial work permit

Section 8. Aerial work involving aircraft, such as lifting, towing, inspections and surveillance, requires an aerial work permit.

That which is prescribed about operating licences in Section 1, paragraphs 2 and 3, and Sections 2-7 shall also apply for aerial work permits. If the government so decides, the public authority that reviews matters concerning aerial work permits may delegate the review to some other entity.

The government or public authority appointed by the government may, in individual cases, decide to grant exceptions to the requirement for an aerial work permit, provided the activity is not on a large scale or if there are other special reasons.

Training permit

Section 9. The practice of flight training in Sweden requires a training permit issued in Sweden.

The government or public authority appointed by the government may issue regulations on the granting of, or in individual cases decide to grant, exceptions to the requirement for a permit as specified in the first paragraph when the matter concerns training for private aviation. If a flight training programme which has been given a dispensation from the permit requirement does not fulfil prescribed flight safety requirements, the government or public authority appointed by the government may in individual cases decide that the flight training programme may not be carried out.

The government or public authority appointed by the government may issue regulations to the effect that a permit is required in order to carry out training of air traffic controllers and other personnel in air navigation services in Sweden.

That which is prescribed about operating licences in Sections 2 and 4-7 shall also apply to permits described in this Section.

Traffic permit

Requirements for traffic permits

Section 10. Conducting aerial transportation for the general public, against payment, and conducting work using aircraft, against payment, requires a traffic permit.

Holders of operating licences issued in Sweden do not, however, need a traffic permit in order to carry out domestic aerial transports, and holders of aerial work permits issued in Sweden do not need a traffic permit in order to carry out work using aircraft. The government or public authority appointed by the government may, however, issue regulations to the effect that a traffic permit is required in these cases as well.

If the government by means of an agreement with another country or an international organisation has granted traffic rights for aviation within Swedish territory, the government may decide to grant exceptions to the requirement for a traffic permit as specified in the first paragraph.

The government or public authority appointed by the government may issue more detailed regulations on traffic permits and on the exercising of traffic rights without the requirement for a traffic permit as specified in the third paragraph.

The government or public authority appointed by the government may issue regulations to the effect that, or in individual cases decide that other air traffic than scheduled air traffic may be carried out without a traffic permit, if this is appropriate considering the nature or extent of the air traffic.

Issuing and revocation of traffic permits

Section 11. Traffic permits are issued by the government or public authority appointed by the government.

When a traffic permit is issued, it may be associated with conditions. If the permit is issued by the government, such conditions may be determined by the public authority appointed by the government.

A traffic permit or traffic rights under Section 10, paragraph 3, may be revoked completely or for a limited time or may be restricted if the permit or traffic right holder does not observe the regulations or conditions that apply for the activity, or if there are other special reasons.

Other permits

Permission to lease aircraft

Section 12. The government or public authority appointed by the government may, if necessary in consideration of flight safety or otherwise of aviation within Swedish territory, issue regulations to the effect that permission is required to lease an aircraft.

That which is prescribed about operating licences in Sections 2 and 4-7 shall also apply to permits described in this section.

Chapter 8. Particular provisions for air traffic

Traffic rules

Section 1. The government or public authority appointed by the government may issue regulations on

1. aviation traffic,
2. other factors which shall be observed in aviation in order to avoid accidents and inconveniences,
3. flight paths that aircraft shall follow within Swedish territory,
4. restrictions to the use of the airspace surrounding such flight paths, and
5. flights across the national borders.

Obligation to land

Section 2. When required in consideration of public order and safety, an aircraft may be ordered to land. The order shall be communicated to the aircraft's pilot-in-command. The aircraft shall then land in the indicated location. If no location is indicated, the aircraft shall land at the nearest appropriate airport within the country.

An aircraft which enters an area such as referred to in Chapter 1, Section 8, without requisite permission shall immediately leave the area. The occurrence shall be promptly reported to an air navigation services unit. If no other instruction is given, the aircraft shall land as soon as possible in accordance with what is stated in the first paragraph.

If the provisions in the first or second paragraph are not followed, the aircraft's remaining flight may be cancelled.

The government or public authority appointed by the government may issue further regulations on the obligation to land. Decisions on matters referred

to in this section are issued by the public authority appointed by the government.

Transports of certain types of goods

Section 3. The government or public authority appointed by the government may, in consideration of flight safety, aviation security, or if it follows from an international agreement to which Sweden is a party, issue regulations on, or in individual cases decide on, prohibitions against aircraft transporting certain types of goods, or on conditions for such transports.

Provisions on the exporting of military equipment are found in the Military Equipment Act (1992:1300).

Provisions on the transporting by aircraft of dangerous goods are found in the Dangerous Goods Transportation Act (2006:263).

Aircraft documents

Section 4. Unless otherwise specially stipulated in this Act, the government or public authority appointed by the government may issue regulations on documents to be carried in flight (aircraft documents).

Section 5. If anyone in order to exercise their rights needs to learn the contents of an aircraft document, he or she shall be allowed to do so.

For public activities, the provisions in the Freedom of the Press Act and the Publicity and Secrecy Act (2009:400) apply instead.

Section 6. The government or public authority appointed by the government may issue regulations on the obligation of those serving on board aircraft to carry pilot licences and other documents.

Chapter 9. Liability for damage in the course of aviation

Section 1. Provisions on the liability for damage inflicted in the course of aviation on persons or property not transported on the aircraft are found in the Act on Liability for Injury as a Result of Aviation (1922:382).

Section 2. Provisions on the obligation for air carriers and aircraft operators to have insurance for such liability as is referred to in Section 1 are found in the Regulation (EC) No. 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance requirements for air carriers and aircraft operators.

Section 3. The government may issue regulations to the effect that insurance for liability as described in Section 1 shall be obligatory also in

cases other than those covered by Section 2. Insurance may be substituted for some correspondent security determined by the government.

Section 4. The Swedish Transport Agency shall monitor that air carriers and aircraft operators fulfil the obligations that follow from Regulation (EC) no. 785/2004 in terms of insurance for such liability as is referred to in Section 1.

A certificate such as referred to in Article 5.1 of the regulation shall be submitted to the Swedish Transport Agency.

Section 5. With respect to such flights over Swedish territory and such intermediate landings as are referred to in Article 8.2 of Regulation (EC) no. 785/2004, the Swedish Transport Agency may demand proof of valid insurance.

Section 6. If anyone serving on an aircraft is liable to pay compensation for damage in the course of aviation which occurred because of his or her error or negligence of duty, the court may adjust the compensation with regard to the nature of the error or negligence, the extent of the damage or to other circumstances. The same applies to other personnel whose duties are significant for traffic safety.

With respect to employees' liability for damages, Chapter 4, Section 1 of the Tort Liability Act (1972:207) applies.

Chapter 10. Search and rescue operations, salvage operations, investigation of aviation accidents and reporting of incidents

Search and rescue operations

Section 1. Provisions on search and rescue operations are found in the Act on Protection Against Accidents (2003:778).

An aircraft's owner or operator and the persons serving on board aircraft or at airports or other aviation installations are required to participate in search and rescue operations. The government issues regulations on compensation from public funds for such participation. Regarding compensation for personal injuries, the provisions on state injury coverage in Chapters 43, 87 and 88 of the Social Insurance Code and the Act on State Compensation for Non-Pecuniary Loss (1977:266) apply. Act (2010:1310).

Salvage operations

Section 2. Any person who salvages an aircraft that has crashed or is in distress, and everyone who participates in the salvage operation, is entitled

to a salvage allowance. The same applies to salvaging of cargo on board an aircraft in the same situation, or of anything belonging to the aircraft or the cargo. Matters regarding salvage allowance are governed by the provisions contained in Chapter 16, Section 3, paragraphs 3 and 4, Section 5, paragraph 1, second and third sentences, Section 6, and Section 10, paragraph 3, of the Swedish Maritime Code (1994:1009).

Anyone who in such an emergency situation saves people from the aircraft or participates in life-saving operations is also entitled to a portion of the salvage allowance. Extraordinary expenses that someone has incurred for the preservation of an aircraft or of cargo shall also be reimbursed, if such expenses were necessary.

Any person who participates in a salvage operation despite an express, justified prohibition by the aircraft's pilot-in-command, owner, or if the aircraft is not used by the owner, the person using it in the owner's stead, is not entitled to a salvage allowance. The same applies regarding compensation for expenses related to the preservation of aircraft and cargo.

The provisions on salvaging in this section do not apply to such salvage operations as referred to in Chapter 16, Section 1, item 1 of the Maritime Code.

Section 3. Any person who has a claim for a salvage allowance or compensation for expenses as described in Section 2 has an aircraft lien on the aircraft or the goods with priority rights in accordance with Section 4, item 1, of the Rights of Priority Act (1970:979), if the salvage allowance or compensation refers to measures concluded in Sweden.

A younger claim has priority over an older claim. Claims that have arisen from the same event have equal rights to payment.

For an aircraft to leave the location at which measures to salvage or preserve it were concluded, or for the owner to take charge of the cargo, the creditors must give their consent. This does not apply, however, if the creditors were paid for their claims or if collateral security has been pledged.

Section 4. The aircraft lien does not include compensation for damage to aircraft or cargo payable as a result of insurance or for some other reason.

Section 5. If the aircraft or cargo is sold at compulsory auction, the aircraft lien ceases once the sale has acquired legal force and the purchase price has been paid. The creditors are entitled to payment from the purchase sum in accordance with the provisions in the Enforcement Code.

The aircraft lien on the cargo expires if it is placed at the disposal of the sender or the receiver through unloading. If the cargo is released without the

consent of the creditor, the person who receives the cargo is responsible for the claim, if he or she was aware of it. He or she is not responsible, however, for more than the value of the cargo at the time of its unloading.

Section 6. The aircraft lien on an aircraft registered in Sweden is extinguished three months from the day the measures to salvage or preserve the aircraft were concluded. This does not apply, however, if the creditor's lien claim has been reported within the same period to the registration authority to be entered into the aircraft registry and, additionally, an agreement has been signed regarding the amount of the lien, or an action concerning the lien has been brought in due order.

The provisions in the first paragraph also apply if the aircraft is registered in another country that is party to the convention on the international recognition of rights in aircraft which was concluded in Geneva on 19 June 1948 (the Geneva Convention). If such is the case, the creditor's lien claim shall be reported to the public authority that maintains the aircraft registry.

If the aircraft is not registered or if it is registered in a foreign country other than those referred to in the second paragraph, the lien is extinguished one year from the day on which the measures to salvage or preserve the aircraft were concluded. This does not apply, however, if an agreement has been reached within the same period regarding the amount of the lien or if an action concerning the lien has been brought in due order.

Investigation of aviation accidents

Section 7. Provisions on the investigation of aviation accidents and incidents from a safety perspective are contained in the Accident Investigation Act (1990:712).

Reporting of occurrences etc.

Section 8. In order to improve flight safety, occurrences in aviation shall be reported to the competent authority.

For the purposes of this Act, "occurrences in aviation" refers to interruptions to operations, defects, errors or some other irregular circumstance that has affected or could affect flight safety, but which has not led to such aviation accidents or incidents as are referred to in the Accident Investigation Act (1990:712).

Section 9. The government may issue regulations on which persons in aviation shall be obliged to report occurrences as specified in Section 8.

The government or public authority appointed by the government issues more detailed regulations on the reporting of occurrences.

Section 10. An employer may not subject an employee to reprisals because the employee has reported an occurrence under this Act.

If an employee is subjected to reprisals, the employer shall pay damages to the employee for the loss incurred and for the infringement the reprisals constitute.

Chapter 11. Special provisions

Departure ban

Section 1. The Swedish Transport Agency or an entity appointed by the Agency may prohibit a flight and prevent an aircraft from departing if, when the flight is due to begin, it may be assumed that the aircraft does not fulfil the conditions laid down in this Act or determined on the basis of this Act. The same applies when other conditions laid down for the flight are not fulfilled. If another entity than the Swedish Transport Agency has issued the decision, it shall immediately be reported to the Agency and be reviewed by it.

Section 2. The entity running an airport may prevent an aircraft from departing if fees for the use of the airport and aviation services in respect of the aircraft's most recent arrival, stay and departure have not been paid and no collateral security has been pledged.

Effecting operating bans

Section 2 a. The Swedish Transport Agency may, for air carriers with a Swedish operating licence, decide on any restrictions of the company's operations which are needed in order to effect an operating ban in accordance with article 16.1¹ of Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, as modified by regulation (EU) No 421/2014 of the European Parliament and of the Council.

The Swedish Transport Agency shall notify the Commission when actions have been effected. Act (2015:368).

Attachment and injunction

Section 3. The Act on the Exemption of Certain Aircraft from Attachment and Injunction (1939:6) contains provisions to the effect that attachment and injunction may not be imposed on certain aircraft.

¹ There is a typo in the Swedish text (16.10).

Fees and other payments for proceedings

Section 4. The government or public authority appointed by the government may issue regulations on fees and other payments for proceedings and permits pursuant to this Act and to regulations issued on the basis of this Act as well as to EU ordinances in the area of civil aviation. Decisions on fees and other payments that have fallen due may be effected in accordance with the Enforcement Code.

Radio equipment

Section 5. The Electronic Communication Act (2003:389) contains special provisions on the use of radio equipment on board aircraft and in the ground organisation.

Chapter 12. Supervision, appeals etc.

Supervision

Section 1. The public authority appointed by the government supervises the observance of the provisions in Chapters 1-8, 10 and 11, and the regulations issued on the basis of these provisions. Supervision measures may also be carried out on a random inspection basis.

The government may issue regulations to the effect that the authority referred to in the first paragraph may employ another entity for the supervision.

To the extent necessary for supervision as described in the first paragraph, the authority referred to therein and any other entity employed by the authority for the supervision shall be given immediate access to aircraft, airports, installations, premises and other objects. This right does not include residences.

The government or, after authorisation by the government, the Swedish Transport Agency may make an agreement with another country to the effect that supervision of Swedish aircraft and other supervision regarding airworthiness and aircraft maintenance shall be carried out by the other country. Act (2011:868).

Section 2. The public authority appointed by the government shall supervise the observance of obligations under Articles 5-11 in the Regulation (EC) no. 1107/2006 of the European Parliament and the Council concerning the rights of disabled persons and persons with reduced mobility when travelling by air.

The supervising authority referred to in the first paragraph may issue the injunctions necessary for the observance of the provisions.

Section 3. The government or public authority appointed by the government may issue regulations to the effect that whoever is under supervision pursuant to this Act shall provide the information the supervising authority needs to be able to carry out supervision.

Appeals

Section 4. The decision of an administrative authority under this Act or under regulations issued on the basis of this Act may be appealed against in a general administrative court, unless otherwise stipulated in Section 5.

Leave to appeal is required for appeals to the administrative court of appeal in cases as referred to in the first paragraph and in cases as referred to in Chapter 4, Section 28.

Section 5. Appeals against decisions by an administrative authority in matters concerning traffic permits may be made to the government.

Decisions in accordance with Chapter 4, Section 19, paragraph 2 on reminders, in accordance with Chapter 4, Section 21 on confiscation of pilot licences or an injunction in accordance with Chapter 4, Section 25, paragraph 1, may not be appealed against. The same applies to decisions in matters as referred to in Section 20, paragraph 1, item 5 of the Administrative Procedure Act (1986:223).

An injunction in accordance with Chapter 4, Section 25 may be tried by a general administrative court only in connection with a review of the matter of revocation due to the injunction not being obeyed. An injunction in accordance with Chapter 4, Section 29 may only be appealed against in connection with an appeal against the decision by means of which the case is decided.

Section 6. A decision under this Act or under regulations issued on the basis of this Act shall apply immediately, unless otherwise specified in the decision.

Section 7. Decisions by an administrative authority regarding permission to establish and run airports may be appealed against by such a non-profit making organization or other legal person as referred to in Chapter 16, Section 13 of the Environmental Code. Act (2010:896).

General authorisation

Section 8. The government or public authority appointed by the government may issue further regulations in the respects dealt with in the Act and which concern the protection of life, personal safety or health or traffic.

The government may issue regulations to the effect that the authority referred to in the first paragraph may delegate administrative tasks relating to the regulations to some other entity, even if the tasks include the exercise of public authority.

War or threat of war

Section 9. If Sweden is at war or facing the threat of war, the government may, to the extent that prevailing circumstances require it, issue regulations on, or in individual cases decide on, exceptions to the provisions in this Act and to other statutes concerning aviation. The government may under such circumstances issue the necessary regulations.

The same applies if such extraordinary conditions obtain as are a result of war or the threat of war which Sweden has been in.

If the government has issued regulations under this section in other cases than when Sweden is at war, these regulations shall be subject to review by the Riksdag within a month of their having been decided. If no such review is carried out, or if the regulations are not approved by the Riksdag within two months of the review, they shall cease to apply.

Chapter 13. Provisions on liability etc.

Provisions on liability

Section 1. Whoever intentionally or through serious negligence manoeuvres an aircraft in such a way that the life or property of others is endangered shall be sentenced for negligence in air traffic to fines or prison for a maximum of six months.

If the crime is serious a sentence of a maximum of two years shall be imposed.

Section 2. Whoever manoeuvres an aircraft or otherwise on board an aircraft discharges a duty of essential significance to flight safety after having consumed alcoholic beverages to such an extent that the alcohol concentration during or after the discharging of the duties is at least 0.2 per mille in the blood or 0.10 milligrams per litre of exhaled air, shall be sentenced for flying under the influence of alcohol to fines or prison for a maximum of six months. The same applies to persons carrying out a service as specified in Chapter 6, Section 20.

Whoever manoeuvres an aircraft or otherwise on board an aircraft discharges a duty of essential significance to flight safety, or who carries out a service as specified in Chapter 6, Section 20, after having consumed narcotics as referred to in Section 8 of the Penal Law on Narcotics

(1968:64) to such an extent that there during or after the discharging of the duties remains any narcotic substance in the blood, shall also be sentenced for flying under the influence of alcohol as specified in the first paragraph. This does not apply, however, if the narcotics have been taken in accordance with a prescription issued by a doctor or any other qualified issuer of prescriptions.

Whoever manoeuvres an aircraft or otherwise on board an aircraft discharges a duty of essential significance to flight safety, or who carries out a service as specified in Chapter 6, Section 20 and is influenced by alcoholic beverages or some other substance to such a degree that it may be assumed that he or she is unable safely to discharge his or her duties, shall also be sentenced for flying under the influence of alcohol as specified in the first paragraph.

Section 3. If a crime as referred to in Section 2 is regarded as serious, the sentence shall be a maximum of two years in prison for serious instance of flying under the influence of alcohol. In assessing the seriousness of the crime, particular attention shall be paid to whether the perpetrator

1. had an alcohol concentration in the blood of at least 1.0 per mille or 0.50 milligrams per litre of exhaled air,
2. otherwise was considerably under the influence of alcohol or some other substance, or
3. discharged his or her duties in a way which implied an evident threat to flight safety.

Section 4. A sentence of fines or prison for a maximum of six months shall be imposed on whoever intentionally or out of negligence

1. contravenes regulations issued by the government on the basis of Chapter 1, Section 6, paragraph 3 to the effect that an aircraft may not be used within Swedish territory for environmental reasons,
2. contravenes Chapter 1, Section 7, paragraph 1 by flying a civilian aircraft at supersonic speed, and no exception to the ban has been granted under Chapter 1, Section 7, paragraph 2,
3. contravenes bans or regulations on restricted areas that the government has issued on the basis of Chapter 1, Section 8,
4. provides incorrect information in an application or report as specified in Chapter 2,

5. operates an aircraft which is not marked in accordance with Chapter 2, Section 13, or in accordance with regulations the government has issued on the basis thereof,
6. contravenes Chapter 3, Section, paragraph 1, first sentence by operating an aircraft which is not airworthy or does not comply with environmental standards,
7. manufactures or carries out maintenance, repairs and modifications on aircraft, or on accessories or spare parts for aircraft, without permission,
8. contravenes provisions on qualification documents in Chapter 4, Sections 1, 2, 3, 4 or 5, or regulations issued by the government on the basis thereof,
9. when on duty on board an aircraft refuses to obey orders given by the pilot-in-command,
10. as a passenger does not obey what the pilot-in-command decides about order on board,
11. as pilot-in-command of an aircraft in distress contravenes Chapter 5, Section 7 by not doing what can reasonably be demanded to save those on board, the aircraft and cargo,
12. contravenes Chapter 6, Section 5 by establishing or making alterations to an airport without the prescribed permit, or Section 8 by beginning operations at an airport before it has been approved and issued with an operating licence,
13. contravenes regulations on permit requirements for other aviation installations than airports issued by the government on the basis of Chapter 6, Section 12,
14. contravenes Chapter 6, Section 19, paragraph 1 by working as a flight controller in air traffic services or a flight technician without possessing a valid licence for the work when such a licence is prescribed,
15. engages in aviation activities without the prescribed permit as specified in Chapter 7, Section 1 or 8, Section 9, paragraph 1 or Section 10, paragraph 1,
16. engages in aviation activities without a permit as prescribed by the government on the basis of Chapter 7, Section 10, paragraph 2, or Section 12,
17. when engaging in aviation disregards the conditions issued on the basis of Chapter 7, Section 4, paragraph 1, Section 8, paragraph 2, Section 9, paragraph 4 or Section 11, paragraph 2, or

18. fails to land in accordance with the provisions in Chapter 8, Section 2.

No sanction shall be imposed for the act referred to in the first paragraph, item 9, if it is due to negligence.

Section 5. A sentence of fines or prison for a maximum of six months shall be imposed on whoever intentionally or through negligence contravenes the Regulation (EC) no. 1008/2008 of the European Parliament and of the Council on common rules for the operation of air services in the Community by

1. carrying out air transport with out the necessary operating licence,
2. not obtaining prior approval in accordance with Article 13 of the regulation, or
3. carrying out air transport on a route for which a public service obligation applies and another air carrier has been granted exclusive access under Article 16 of the regulation.

Section 6. A sentence of fines shall be imposed on whoever intentionally or through negligence

1. provides incorrect information in a matter concerning the possession of a pilot licence or certificate of qualification or a question of another qualification, or in connection with some other review of qualifications,
2. contravenes Chapter 5, Section 2 by not ensuring that an aircraft is manned in the prescribed way,
3. contravenes regulations that have been issued on the basis of Chapter 6, Section 19, paragraph 2, item 1.

A sentence of fines shall also be imposed on whoever neglects any obligation under Chapters 1, 2, 3, 4, 5, 6 or 8 in other cases than those referred to in Sections 1-4.

Section 7. If an act has been committed through limited negligence, no sentence shall be imposed under this Act.

Section 8. Provisions on liability for whoever breaches professional secrecy under Chapter 6, Section 14, paragraph 1 are contained in Chapter 20, Section 3 of the Penal Code.

Section 9. No sentence under this Act shall be imposed if the act is a criminal offence under the Penal Code, or if the act constitutes a breach of an injunction or a prohibition which is associated with a penalty.

Section 10. If anyone, in such cases as referred to in Chapter 5, Section 5, has used more force than is allowable in each individual case, he or she shall still not be held liable if circumstances were such that he or she had difficulties keeping his or her composure. If the act is regarded as criminal, a more lenient sentence than what is normally prescribed may be imposed.

Jurisdiction

Section 11. Whoever has committed a crime as referred to in Sections 1-3, Section 4, paragraph 1, items 6 and 8-11 and paragraph 2, Section 5, Section 6, paragraph 1, item 2 and paragraph 2, and Sections 7, 9 and 13, shall be sentenced, if he or she is in Sweden, at a Swedish court of law even if there is no jurisdiction under Chapter 2, Section 2 or 3 of the Penal Code, if the crime was committed

1. when engaging in aviation activity with a foreign aircraft which was being used within the framework of a Swedish operating licence, or
2. on board such an aircraft.

Prosecution may be instituted without authorisation in accordance with Chapter 2, Section 5 of the Penal Code.

Forfeiture

Section 12. If the owner or someone in the owner's stead intentionally commits or takes part in such an act as is referred to in Section 4, paragraph 1, item 1, 2 or 3, the aircraft may be declared forfeit, if necessary for the prevention of crime, or if there are other special reasons. This does not apply, however, if forfeiture is manifestly unreasonable. If the aircraft is not intact, its value may be declared forfeit.

The first paragraph does not apply to anyone who has acquired the aircraft or some particular right in it in good faith.

Penalties

Section 13. An injunction or a prohibition imposed by an authority under this Act, or under regulations issued on the basis of this Act, may be associated with a penalty.

Chapter 14. Military aviation and other aviation for state purposes

Definitions

Section 1. In this act the following definitions are used:

1. state aviation: military aviation and other aviation for state purposes,

2. military aviation: any activity within the military aviation system,
3. military aviation system: an aviation system for military activity which includes systems for flight operations, airports and airbases as well as air space,
4. other aviation for state purposes: aviation for state purposes which is not military aviation. Act (2013:818).

Military aviation

Section 2. For military aviation, the only provisions that apply are those in

1. Chapter 5, Sections 1-6, 8 and 9 regarding pilot-in-command and crew, and duties on board the aircraft,
2. Chapter 6, Sections 13, 19 and 20 regarding air navigation services,
3. Chapter 8, Section 3, regarding transports of certain types of goods,
4. Chapter 9, Section 6 regarding adjustment of compensation,
5. Chapter 10, Section 2, paragraphs 1 and 3, and Section 7 regarding salvage operations, and investigation of accidents and incidents,
6. Chapter 12, Section 8, paragraph 1 regarding the right to issue regulations, and Section 9 regarding war and threat of war, and
7. Chapter 13, Sections 2 and 3, Section 4, paragraph 1, items 9 and 10, and Section 10 regarding certain penalty provisions.

The government issues regulations regarding to which authority a report in accordance with Chapter 5, Section 4, paragraph 2 shall be made.

The government or the public authority appointed by the government may issue other regulations or in individual cases decide on military aviation in the matters referred to in this Act when these matters must not be issued as law. Act (2013:818).

Section 3. The government issues regulations to the effect that a government authority shall conduct military aviation operations.

A permit is required if an entity other than the state wants to carry out an activity within the military aviation system. The government or the public authority appointed by the government decides on permits and on fees for issuing permits, and may issue regulations in these respects. Act (2013:818).

Section 4. If a permit holder, with a permit within the military aviation system, materially disregards the regulations for the activity, the permit shall be revoked by the authority that issued it. A permit shall also be

revoked if it must be assumed that the holder cannot maintain the activity. Provided it is sufficient for maintaining flight safety, a permit may, instead of being revoked, be restricted to applying to a certain part of the military aviation system or under certain conditions.

A permit shall be temporarily revoked pending a final decision on revocation, if it can be reasonably assumed that the permission will be definitely revoked.

If it can be reasonably assumed that the permission will be definitely restricted, it may be restricted until further notice pending a final decision.

The holder of permission shall report if anything happens which implies that the requirements for a permit will no longer be fulfilled. Act (2013:818).

Section 5. The government or the public authority appointed by the government may issue regulations or in individual cases decide on exercises by foreign military aviation in Sweden. Act (2013:818).

Other aviation for state purposes

Section 6. The provisions in this Act apply for other aviation for state purposes, except

1. Chapter 7, regarding permission to conduct aviation operations,
2. Chapter 9, Sections 2-5 regarding liability for damage in the course of aviation,
3. Chapter 10, Sections 3-6 regarding aircraft lien,
4. Chapter 11, Section 4 regarding fees and other payments for proceedings,
5. Chapter 12, Sections 1 and 4-7 regarding supervision and appeals, and
6. Chapter 14, Sections 2-5 regarding military aviation.

The government or public authority appointed by the government may issue regulations or in individual cases decide on such aviation as mentioned in the first paragraph. The government or the public authority appointed by the government may also in individual cases decide on exceptions to the provisions in Chapters 1-6 and 8.

The government or the public authority appointed by the government may issue regulations or in individual cases decide on foreign aviation which cooperates with Swedish other aviation for state purposes. Act (2013:818).

Common provisions for state aviation

Supervision

Section 7. The public authority or authorities appointed by the government supervise the observance of the provisions on state aviation in this Act and the regulations issued on the basis of this Act.

The government or the public authority appointed by the government may issue any other regulations on supervision. Act (2013:818).

Section 8. The government or the public authority appointed by the government may issue regulations on fees for supervision pursuant to this Act or to regulations issued on the basis of this Act. Act (2013:818).

Section 9. Upon request, a supervising authority has the right to be provided with the information needed for supervision pursuant to this Act or to regulations issued on the basis of this Act, and, if it is needed in order to carry out the supervision, the right to be given immediate access to aircraft, airports, installations, premises and other objects. This right of access does not include residences. Act (2013:818).

Delegating administrative tasks

Section 10. The government may issue regulations to the effect that the authority referred to in Chapter 14, Section 2 or 6 may delegate to some other entity administrative tasks that follow from the government's or the authority's regulations, and that concern the protection of life, personal safety or health or traffic, even if the tasks include the exercise of public authority. Act (2013:818).

Access to Swedish territory

Section 11. The government or the public authority appointed by the government may issue regulations regarding access to Swedish territory by foreign state aviation. Act (2013:818).

Other provisions

Section 12. The government or public authority appointed by the government may issue regulations or in individual cases decide on aviation which is carried out in Sweden by another state, or by a business with its headquarters in another state, and which concerns maintenance, modifications or tests for military purposes. Act (2013:818).

Section 13. If there are special reasons, the government or public authority appointed by the government may issue regulations to the effect that, or in individual cases decide that certain aviation shall adhere to the rules for

military aviation or to the rules for other aviation for state purposes. Act (2013:818).

Section 14. If there are special reasons, the government may in individual cases decide to grant an exception to the provisions on state aviation and in that case issue the necessary conditions. Act (2013:818).

Appeals

Section 15. Decisions which are made by an administrative authority under this chapter or under regulations issued on the basis of this chapter, and which do not concern military aviation may be appealed against in a general administrative court.

Leave to appeal is required for appeals to the administrative court.

Appeals against decisions which are made under this chapter or under regulations issued on the basis of this chapter, and which concern military aviation may be made to the government. Act (2013:818).

Section 16. A decision under this chapter shall apply immediately, unless otherwise specified in the decision. Act (2013:818).

Transitional provisions

2010:500

1. This Act enters into force on 1 September 2010. This Act repeals the Aviation Act (1957:297). Older provisions shall continue to apply for fees that are attributable to the time before the entry into force.

2. Licences, permits and approvals issued under the Aviation Act (1957:297) and under regulations issued on the basis of it shall continue to apply according to their content. Matters regarding the renewal of older licences, permits and approvals shall, however, be reviewed under the new Act, as shall revocations of a licence, permit or approval, or the refusal to approve a permit if the event on which the intervention is based has taken place since the Act has entered into force.