

Data. Protection. Adding Value.

GDPR Local Insights*



Sweden

Legislation

GDPR has been the primary legislation in Sweden since 2018, supplemented by the national Data Protection Act (2018:218) and the Data Protection Ordinance (2018:219), which includes specific rules in areas where GDPR permits national adaptation. Moreover, a vast number of sector specific acts apply in Sweden, for example relating to the healthcare, labor market, ethical review of research, finance and education.

Supervisory Authority

The Swedish Authority for Privacy Protection (Swe: Integritetsskyddsmyndigheten (IMY)).

Special Conditions for Data Processing

The Data Protection Act stipulated that (not exhaustive):

- National identity numbers may only be processed without consent if it is clearly justified considering: (i) the purpose of the processing, (ii) the importance of secure identification, or (iii) another noteworthy reason.
- Sweden has chosen to set the age limit at 13 years for children to be able to give valid consent to the processing of personal data in connection with the provision of information society services (e.g., social media, apps, games).

Special Categories of Data

The Data Protection Act allows for:

- Processing of special categories of data when necessary to perform obligations or exercise rights in the field of employment and in the areas of social security and social protection;
- Processing of special categories of data where the processing is necessary for an important public interest;
- Processing of special categories of data where the processing is necessary within the field of health and medical care and social services, inter alia, medical diagnoses and the provision of health or medical care or treatment; and
- Processing of criminal conviction data, which is not carried out under control of an authority, with the prior authorization from IMY or in accordance with specific instructions issued by IMY.

Restrictions on Individuals' Rights

Sweden has introduced certain exceptions to data subjects' rights, such as the right to information and erasure, in situations related to: (i) law enforcement, (ii) tax matters, (iii) supervisory activities, and (iv) research and statistics.

Other Relevant Exemptions

- Processing of personal data for journalistic, artistic, or literary purposes, where freedom of expression is protected
- Exemptions related to processing by political parties and trade unions
- Processing related to national security and defense, regulated under separate laws
- Swedish authorities that violate the GDPR may be subject to administrative fines. However, the administrative fine for a public authority may never exceed 10 million SEK.

Let's connect to discuss how we can help:



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*The overview intends to provide general insights on the level of supplementary rules implemented in a country and for such purpose provides examples where the relevant member states have made use of the exemption provided by the GDPR. It is therefore non-exhaustive.

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