

## The Act (1989:41) on Financing of Radio and Television in the service of the public

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### **Financing**

- 1 § Radio and Television operations in the service of the public and operations that are directly linked to these shall be financed with a radio and TV fee in accordance with the Act partly on condition that a broadcasting licence in compliance with Chapter 2 paragraph 2 of the first and second passages of the Radio and Television Act (1996:844) has been granted to the party operating the broadcasting operations, partly on condition that the permit contains a ban against broadcasting advertising. Act (2009:1235).

### **Definition**

- 2 § A TV receiver is a piece of technical equipment that is designed to receive a transmission or retransmission of a TV programme, even if the equipment can also be used for other purposes. Act (2006:798).

### **Obligation to pay a licence fee**

- 2 a § Anybody possessing a TV receiver must pay a radio and TV fee to Radiotjänst in Kiruna AB (RIKAB). Act (2009:1235).

3 § Only one radio and TV fee is to be paid for all TV receivers

1. that are intended to be used in the owner's household
2. are owned by a government authority, or person obliged to pay a fee, or
3. are in possession of a care provider and are intended to be used by those receiving care at the care provider's hospital, care facility or similar establishment. Act (2009:1235).

### **Exceptions from obligation to pay a fee**

5 § There is no obligation to pay a radio and TV fee for owning TV receivers located in facilities or premises that are intended for other use than housing purposes or in means of transport, if the receivers cannot be used to receive TV programmes as a result of a specially implemented measure.

6 § There is no radio and TV fee for a TV receiver that

1. is owned by someone employed in a foreign embassy or a career consultant, if the government or the authority designated by the government has decided that there no payment should be made for the receiver,
2. has been brought into the country for temporary use and is duty-free,
3. is only in one's possession for a trial period of no more than 15 days, or
4. has been permanently put aside or is unusable so far as it applies to the period after which the condition has been reported to RIKAB by the party obliged to pay the fee.  
Act (2009:1235).

## **The size of the radio and TV fee etc**

7 § The radio and TV fee is SEK 2 076 for one year. It is to be paid in four instalments of SEK 519.

Each instalment refers to a fee period of three months and should be paid on the last business day prior to the commencement of the fee period.

When owning a TV receiver during the period prior to the first fee period, the amount of the fee paid for the period of possession should be in proportion to the annual fee. The amount is rounded off to the nearest even number of SEK.

RIKAB may, after agreement with the person obliged to pay the fee, partly decide that the radio and TV fee should be paid in other amounts and at other times than those specified in the first and second passages, and partly that the fee should not be notified as per paragraph 10. Act (2009:1235).

## **Reporting the possession of a TV receiver**

8 § Anyone possessing a TV receiver and who is obliged to pay a fee for possession shall subsequently notify RIKAB of this within a period of 15 days.

A commercial transfer or renting in a retail shop of a TV receiver should be reported by the transferor or renter to RIKAB before the expiration of the calendar month immediately following the transfer or rental. The report should contain the information necessary to determine the obligation to pay the fee.

Anyone acquiring or renting a TV receiver of another party in compliance with the second passage or by anyone representing this party is responsible for providing the transferor or lessor with the information the transferor or lessor requires to be able to fulfil his/her duty of notification. Act (2006:798).

## **Decision regarding obligation to pay fee etc**

9 § When, as a consequence of a report or other any other means, RIKAB finds out that someone possesses a TV receiver and if an obligation to pay a fee accompanies this possession, RIKAB will make a decision about this and at the same time decide on which fee periods should apply for the person obliged to pay the fee. RIKAB shall notify the person obliged to pay a fee about the decision in writing. Act (2006:798).

10 § RIKAB will send notification to the person obliged to pay a fee in good time before each fee period with a request to pay the fee for the period. A notice concerning the first fee period should also contain a request to pay the fee for the period of possession previous to that. Act (2006:798).

## **When the obligation to pay a fee ceases**

- 11 § A radio and TV fee must be paid until the person obliged to pay the fee has reported that his or her possession which is liable to a fee has ceased and a notification has been received by RIKAB.

If the person obliged to pay a fee dies, the obligation to pay the fee ceases on the day of death if notification as referred to in the first passage has been received by RIKAB within a period of three months from the said day.

A radio and TV fee relating to the period after the obligation to pay a fee has ceased in accordance with the first or second passages will be repaid to the person obliged to pay the fee or the estate of the deceased. However, if the amount is less than SEK 150 it is not repaid. Act (2009:1235).

## **Payment reminder and reminder fee**

- 12 § If a radio and TV fee is not paid within the mandatory period, RIKAB will send a reminder to the person obliged to pay the fee with a request to pay within the period stipulated by RIKAB. At the same time, the person obliged to pay the fee shall also pay a reminder fee at an amount prescribed by the government. Act (2009:1235).

## **Additional fee**

- 13 § If a radio and TV fee is not paid within the period stipulated in the reminder, the person obliged to pay the fee will also pay an additional fee within the period stipulated by RIKAB. The additional fee constitutes 40 percent of the fee item for the period. The amount is rounded down to the nearest even number of SEK. Act (2009:1235).

## **Handling cases**

- 14 § The Administration Act (1986:223) shall be applied when RIKAB is handling cases in accordance with this Act. Act (2006:798).

## **Reviewal of decision regarding obligation to pay fee etc**

- 15 § RIKAB shall review decisions regarding the obligation to pay a fee and the charging of fees in accordance with this Act if the person affected by the decision requests this or if reasons otherwise exist. If a request for a reviewal has been submitted to RIKAB more than four weeks after the day when the fee should have last been paid, RIKAB will only change its decision if it is clearly incorrect. A request for a reviewal does not release the party from the obligation to pay a fee amount that has become due for payment.

That which is prescribed in the first passage shall be specified in a decision about the obligation to pay a fee and the charging of fees. Act (2006:798).

### **Reimbursement of fees**

- 16 § If a fee paid in exceeds the fee to be paid according to the decision that has become legally valid, the surplus amount shall be reimbursed.

### **Execution**

- 17 § RIKAB's decision about the charging of fees according to this Act should be regarded as a decision by an administrative authority and may be carried out if the fee is not paid and had fallen due for payment. Execution may take place even if the decision about the fee is a request for a review or a decision about a review has been appealed against. However, if the decision relates to a radio and TV fee, RIKAB must have sent a reminder in accordance with paragraph 12.

The charging of a fee is handled by the enforcement service as a general case. Act (2009:1235).

### **Monitoring and forgiveness of claims**

- 18 § RIKAB will monitor claims on fees in accordance with this Act.

RIKAB may permit reasonable respite for payment for a maximum of one year from the day of maturity. Act (2006:798).

- 19 § RIKAB may call off the collection of a claim for a fee if there is no or little possibility of receiving payment. The same applies if collection would give rise more work or a higher cost than is reasonable. RIKAB can come to an agreement with the enforcement service about a report of the collection assignment. Act (2006:798).

- 20 § If, due to the illness of the person obliged to pay a fee, or for any other reason it is unreasonable to demand payment for a fee according to this Act, RIKAB may fully waive the claim. Act (2007:1279).

## **Appeal**

- 21 § RIKAB's decision in cases with renewals in accordance with paragraph 15 may be appealed against at the general administrative court. In this respect, RIKAB will be the adversary to the individual. Otherwise, RIKAB's decision may not be appealed against.

A review permit is required for an appeal to the administrative court of appeal.

Even if a decision in accordance with the first passage, first sentence is appealed against, RIKAB may change the decision if it is obviously incorrect. However, this obligation does not apply if the complainants request that the decision should provisionally not apply or if RIKAB has handed over the documents in the case to the county administrative court. Act (2009:802).

## **Penalty**

- 22 § Anybody who wilfully or due to carelessness

1. fails to fulfil his/her obligation to pay a fee in accordance with the first and second passage of paragraph 8,
2. provides incomplete or incorrect information in an application as referred to in the second passage of paragraph 8, or
3. provides incorrect information when fulfilling the obligation to pay a fee as referred to the third passage of paragraph 8 shall be fined.

What is stated in the first passage 2 and 3 shall not apply if the deed is punishable with a penalty in the criminal code. Act (1996:852).

## **A change in the amount of the radio and TV fee**

- 23 § If, due to a change in this Act, the radio and TV fee is to be paid with another amount than previously specified, the amount of the fee for a period that is in progress when the change takes effect is calculated in accordance with the previous radio and TV fee for the period prior to it having taken effect and in accordance with the new fee for the time after it having taken effect.

The amount is rounded down to the nearest even number of SEK.

RIKAB will not change the radio and TV fee in accordance with the first passage if the person obliged to pay the fee has reported that his or her possession of the TV receiver has ceased before the expiration of the fee period. Act (2009:1235).

### **Special fee check**

- 25 § RIKAB may use special direction finding instruments to ascertain to what extent there are TV receivers in housing within a certain area (special fee check). Act (2006:798).
- 26 § A special fee check within a housing area shall relate to all the residences/houses where no one has reported possession of a TV receiver.
- 27 § Before a special fee check is carried out, RIKAB shall notify the residents within the area of this in good time and in an appropriate manner. Act (2006:798).
- 28 § A special fee check shall be carried out so as to avoid unnecessary problems for private individuals.

### **Administration of funds from fees**

- 29 § The amounts from fees received by RIKAB should be transferred to the Swedish National Debt Office at least once each month. The funds should immediately be placed interest-bearing account there.

RIKAB is responsible for administering the funds. Act (2006:798).