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Section 1 This regulation contains provisions on the application of the Legal Aid Act (1996: 1619). In addition, Sections 11 a-11 d contain special provisions on the application for legal aid in certain cross-border disputes. Regulation (2004: 739).

Section 2 What is said about a court in this regulation also applies to the leasing committee and the rental committee.

Section 3 For the purposes of the Legal Aid Act (1996: 1619) and this regulation is regarded as assistant lawyer at a law firm the person who has passed the knowledge tests prescribed for admission to the judiciary and has been registered in a register with the Swedish Bar Association as an employee of the office.

Consulting

Section 4 The Court of Justice sets a fee for counseling in accordance with the Legal Aid Act (1996: 1619) on the basis of an hourly cost norm decided by the government. The National Court of Justice also announces more detailed provisions on reduction of the advisory fee.

Section 5 The Court of Justice announces detailed provisions on the remuneration of general funds to the person providing advice under the Legal Aid Act (1996: 1619).

Financial basis

Section 6 The Court of Justice announces detailed provisions on the calculation of financial documentation in accordance with Section 38 of the Legal Aid Act (1996: 1619).

Application for legal aid

Section 7 An application for legal aid shall contain information on the legal matter to which the application relates and, if possible, the value of the matter. If the application relates to a legal matter that may be tried or otherwise processed abroad, this must be stated.

The application must state whether legal aid has previously been sought and whether counseling has been provided on the matter.

Section 8 The application must state whether the applicant has or has had legal protection insurance or similar legal protection covering the matter.

If the applicant does not have legal protection under the first subparagraph, the reason for this should be stated, if it is not obviously unnecessary.

If the legal matter relates to damages, the applicant must state whether the traffic damage compensation is in accordance with the Traffic Damages Act (1975: 1410) or whether the damages can be paid from a liability insurance.

Section 9 The application shall contain information on the financial and other circumstances of the claimant in accordance with a form that the Court of Justice determines. Regulation (1999: 65).

Section 10 If a death estate applies for legal aid granted to the deceased to transfer to the death estate, an application must be attached to the application a building record or other reliable investigation of the financial position of the estate and information on the financial conditions of the death estate owners.

Section 11 The information on financial conditions, the existence of insurance, counseling and whether legal aid has previously been sought shall be submitted in honor and conscience. The applicant shall also certify in honor and conscience that the application has provided all information which, as far as the applicant knows, is of importance for the assessment of the application and that the information provided is correct.

The applicant shall, in the application for legal aid, consent to the financial information being checked by the authorities concerned. Regulation (1999: 65).

Special provisions on the application for legal aid in certain cross-border disputes

§ 11 a The Ministry of Justice is the transmitting and receiving body in accordance with Council Directive 2003/8 / EC of 27 January 2003 on improving the possibility of judicial review in cross-border disputes by establishing common minimum rules for legal aid in such disputes.

Regulation (2004: 739).

§ 11 b The Ministry of Justice, in its capacity as a transmitting body, shall assist the legal applicant in

: 1. ensuring that all documents required by the Ministry's knowledge for examining the application for legal aid are attached to it, and

2. if necessary, translate the application for legal aid and other documents. as specified in 1.

The Ministry of Justice shall transmit an application for legal aid to receiving bodies in another Member State of the European Union within 15 days of receipt of a complete application.

The Justice Department's assistant shall be free of charge.

Regulation (2004: 739).

11 c § If an application for legal aid has been sent to the Ministry of Justice in its capacity as a receiving body in any other way than by mail, courier or fax, the Ministry does not have to convey the application. However, this does not apply if an agreement has been reached in the individual case and the application has been made in the manner agreed.

Regulation (2004: 739).

§ 11 d An application for legal aid that has been sent to the Ministry of Justice in its capacity as a receiving body need only be communicated if the application and the other documents annexed to it are written in Swedish or English.

Regulation (2004: 739).

Notifications etc.

Section 12 If an application for legal aid has been approved, the applicant shall be notified in writing. The notice shall contain information on the legal matter to which the legal aid relates, the date on which the application was approved, the percentage after which the legal aid fee is to be paid and what the minimum fee amounts to, and who has been appointed as legal aid.

The Legal Aid Board shall be notified in writing of the ordinance.

Section 13 If legal aid has been granted by the Legal Aid Authority and the legal matter is handled, without any appeal being made by the decision of the authority, in a court or other authority or by an arbitration panel, the legal applicant shall

immediately send the message which referred to in section 12. A note on the contents of the message must be made in the diary, the deed or any other suitable place.

Section 14 If a cost of legal aid has been incurred in a case or case before a court or other authority after legal aid has been granted, a record of the cost shall be made in the diary or on the notice of legal aid indicating the day on which the cost arose.

Section 15 If legal aid has been granted by the Legal Aid Authority, the court shall notify the authority if the legal matter gives rise to a case or case before the court. When the Legal Aid Authority has been notified, the Authority shall immediately notify the court of the costs of the case previously determined by the Authority. If a court or the Legal Aid Authority needs additional documents as a basis for a decision relating to legal aid, it is the responsibility of the court or authority to request them.

Section 16 If it is decided that the legal aid shall cease and the legal matter is handled by another authority than the one who made the decision, the other authority shall be informed of the decision. The same applies when the matter is tried in arbitration.

The applicant, the legal assistant and the mediator shall be informed of the decision.

Section 17 The Swedish Court of Justice may issue regulations to courts and other authorities that they must submit information to the Legal Aid Authority on their decisions on legal aid matters.
Regulation (2005: 80).

Payment of legal aid fee

Section 18 The Court of Justice announces more detailed provisions on payment of legal aid fee.

Compensation to legal aid assistants

Section 19 The Court of Justice issues regulations on the tariff referred to in section 27, fifth paragraph of the Legal Aid Act (1996: 1619) on the basis of an hourly cost norm decided by the government.

The National Court of Justice also gives regulations on how the waste of time should be calculated. Regulation (2014: 330).

Section 20 A legal aid assistant shall include in his expense account in separate items the compensation requested for work, time wastage and expenses. As regards VAT, there are provisions on invoicing in Chapter 11. VAT Act (1994: 200).

If the remuneration is not to be determined in accordance with the tariff or if the requested remuneration differs from the fixed tariff, the cost statement must include a working statement. This must be so comprehensive that the reasonableness of the claim can be assessed. The work report shall include information on the time

required for each measure that is not routine. If the claimant invokes any special circumstances, such as the task being particularly difficult or demanding, these must be stated. The cost statement must also state the time spent on the assignment and when the work began.

If an assistant has put a lawyer or an assistant lawyer at a law firm in his place (substitution), this must be stated in the expense account. Regulation (2005: 80).

Section 21 If a legal aid assistant has hired a foreign place representative, the information specified in Section 20 shall also be reported regarding the place representative's work.

Section 22 A legal aid assistant shall also state in his expense account whether the legal applicant has received more than one hour of counseling, the counseling fee and the legal aid fee paid by the legal applicant and any circumstances that may be relevant to the application of Section 31 of the Legal Aid Act (1996: 1619).

Section 23 The expense account shall be submitted to the court or authority that shall decide on the compensation except in cases referred to in the second paragraph.

If the legal aid relates to a case before an authority other than a court or a proceeding before the arbitration panel, the expense account shall be submitted to the authority or arbitration panel, which shall without delay send the bill to the Legal Aid Authority with its own opinion.

In cases of the government concerning pity in criminal cases and in cases in accordance with the Swedish Citizenship Act (2001: 82), such an opinion may be given by the head of the unit within the Government Offices responsible for the preparation of the case.
Regulation (2013: 656).

Section 24 A legal aid assistant who has resigned his assignment prematurely is entitled to advance payment of his compensation by a reasonable amount. In other cases, the Deputy is also entitled to such advance, if there is reason for it in view of the work done in the case and the time remaining before the compensation can be determined.

Compensation to mediators

Section 25 Anyone who requests remuneration for an assignment as mediator is obliged to provide the information needed for the remuneration to be determined. The time spent on the assignment must always be stated.

Compensation for participation in the investigation

Section 26 Compensation to the person who has participated in the investigation pursuant to the Legal Aid Act (1996: 1619) is determined at a reasonable amount. The cost specified in Section 17 of the Legal Aid Act shall be calculated excluding

VAT.

In the case of compensation for the nomination of the person who participated in an investigation, the provisions on the calculation of compensation of public funds for witnesses are applied.

Anyone who requests compensation for an investigation is required to provide the information needed to determine the compensation. The time spent on the assignment must always be stated.

settlement

Section 27 A settlement under section 40 of the Legal Aid Act (1996: 1619) with the applicant shall contain information on

1. the final stipulated legal aid fee,
2. the compensation that the legal aid agent has finally been awarded,
3. the amount to be paid or received from the applicant. legal counsel.

Section 28 A settlement in accordance with section 40 of the Legal Aid Act (1996: 1619) with the legal auxiliary shall contain information on

1. the final stipulated compensation for the assistant,
2. the final applicant's legal aid fee, to be deducted from the assistant's compensation,
3. the amount to be received from the assistant. and
4. pay the amount to which the assistant shall receive or pay to the state.

Section 29 A settlement pursuant to Section 41 of the Legal Aid Act (1996: 1619) with a partner or counterparty shall contain information on

1. the final determined compensation to the assistant,
2. the amount that the court has decided that the partner or counterparty will pay,
3. to whom or who to pay the amount.

If the settlement means that the legal applicant shall receive compensation from a counterparty or co-party, the legal applicant shall also be notified.

Payment of remuneration

Section 30 The Legal Aid Authority ensures that remuneration of general funds for legal aid assistants, mediators and those who have participated in the investigation in accordance with the provisions of the Legal Aid Act (1996: 1619) are paid as soon as possible to the person entitled. If a court has decided on the compensation, the court shall within one week notify the Legal Aid Authority of the compensation decision. The Court of Justice announces more detailed provisions on notification of compensation decisions.

Payment to the state

Section 31 If a court or the Legal Aid Authority, pursuant to Sections 30, 31, 35-37 or 41 of the Legal Aid Act (1996: 1619), has decided that a party or other person shall pay compensation to the State, the debtor shall pay the legal force as soon as the decision has taken effect. be asked to pay the compensation within a certain period of time.

If the decision has been notified by an authority other than that specified in the first subparagraph or by the arbitration panel, a notification of the decision shall be sent to the Legal Aid Authority.

After the Legal Aid Authority has decided on the amount to be covered by the obligation to pay the reimbursement and on the distribution of the compensation between the applicant and the State in accordance with section 41 of the Legal Aid Act, the first subparagraph shall apply.

Section 32 If, after an appeal, a court or the Legal Aid Board determines compensation for a legal aid assistant at a lower amount than that determined in the appealed decision, the legal aid assistant shall promptly repay what he or she has received too much.

If an advance paid exceeds what the Legal Aid Board is finally awarded in compensation, the excess amount shall be refunded to the State without delay.

Section 33 If the person who received an advance for costs under section 22 of the Legal Aid Act (1996: 1619) subsequently received these in whole or in part by insurance or by a court or other authority in the foreign state and this amount cannot be offset against the compensation which is final If determined, the Legal Aid Authority shall consider whether the corresponding part of the advance shall be repaid and do what is necessary to recover the advance.

Section 34 Detailed regulations on the procedure for enforcing a decision on payment to the state in accordance with the provisions of the Legal Aid Act (1996: 1619) are decided by the Court after consultation with the Swedish Tax Agency. Regulation (2003: 985).

The application of the Legal Aid Act regarding foreign nationals, etc.

§ 35 The following foreign nationals shall, to the extent stated below, be equated with Swedish citizens in respect of the right to legal aid under the Legal Aid Act (1996: 1619):

- Citizens of a Member State of the European Union.
- Anyone who is domiciled or habitually resident in a Member State of the European Union, with the exception of Denmark.
- Citizens of Japan.
- Citizens of a State affiliated to any of the Hague Conventions on July 17, 1905 and March 1, 1954, on certain subjects relating to the civil process.
- Citizens of a State in relation to which the Convention of 28 August 1930 between Sweden and the United Kingdom and the United Kingdom on certain

matters of civil procedure of international nature is applicable.

- Citizen of a State acceding to the European Convention on Residence on 13 December 1955.

- Resident of a State acceding to the Hague Convention of 23 November 2007 on International Recovery of Child and Other Family Members, if he or she is a plaintiff or applicant in a case or matter relating to maintenance allowance and which has been brought by mediation by the Social Insurance Agency in accordance with the provisions of the Convention.

- a resident of a State affiliated to the New York Convention of June 20, 1956 on the collection of maintenance allowances abroad, if he or she is a plaintiff or applicant in a case or matter relating to maintenance allowance and which has been brought by mediation of The Social Insurance Fund in accordance with the provisions of the Convention.

- A person residing in the United States of America, Guam, Virgin Islands, Puerto Rico or Samoa, with the exception of Alabama, the District of Columbia and Mississippi, if he or she is a plaintiff or applicant in a suit or case for maintenance grants brought by mediation of the Social Insurance Agency in accordance with the provisions of the New York Convention of June 20, 1956 on the collection of maintenance allowances abroad.

- Citizen of a State affiliated to the European Convention of 24 November 1977 on the legal status of migrant workers, if he or she resides in Sweden as a migrant worker within the meaning of the Convention.

- A person who is a plaintiff or applicant in a case or case concerning custody or social affairs brought by the Ministry of Foreign Affairs in accordance with the European Convention of 20 May 1980 on the recognition and enforcement of decisions concerning child custody and the restoration of child care.

- a citizen or resident of a State which is a party to the Hague Convention of 25 October 1980 on the civil aspects of international child abduction, if he or she is an applicant in a case or matter relating to the Convention;

- a person residing in a State which is a party to the Hague Convention of 25 October 1980 on international legal aid; Regulation (2014: 330).

Section 36 With regard to the benefit of legal aid under the Legal Aid Act (1996: 1619), a person who is stateless or political refugee and who does not reside in this country shall be equal to the citizen of the state in which he or she resides.

Transitional

2013: 656

1. This Regulation shall enter into force on September 1, 2013.

2. Older regulations shall apply to the handling of cases relating to the cancellation of the decision of the General Court on expulsion due to crime and which has been submitted to the Government before its entry into force.

SVERIGES RIKSDAG

All public power in Sweden is based
on the people and the Riksdag is the
people's main representative.