

**The Military Equipment Ordinance (1992:1303)**  
with amendments up to and including SFS 1997:124  
(Swedish Code of Statutes)

**Introductory Provisions**

Section 1

The Military Equipment Act (1992:1300) applies to equipment listed in the Annex to this Ordinance. Such equipment is classified either as combat equipment or other military equipment.

Section 2

In this Ordinance, the term small arms refers to pistols, revolvers, rifles, carbines and sub-machine guns which may be regarded as personal portable weapons and which can be employed without a gun carriage or stand.

**Manufacture**

Section 3

A permit issued in accordance with Section 3 of the Military Equipment Act (1992:1300) is not required for the modification or conversion of small arms which are not fully automatic or for the manufacture of individual weapons of this type. A permit to load ammunition for personal use is not required in the case of a person who is entitled under the Weapons Act (1996:67) to possess a hunting or sporting weapon.

A permit issued in accordance with Section 3 of the Military Equipment Act is not required for annual manufacture of at most 100 grams of chemical products classified as military equipment for medical or pharmaceutical purposes or for research purposes.

Section 4

An application for a permit to manufacture military equipment under Section 3 of the Military Equipment Act (1992:1300) shall contain information regarding

1. the applicant's name, citizenship, occupation, place of residence and, in the case of a company, the trade name and certificate of incorporation and also, in the case of a trading partnership or a joint stock company, information concerning ownership at the time of application,
2. the type or types of military equipment which the applicant intends to manufacture, and
3. the location where it is intended that manufacture should take place.

**Supply**

Section 5

A permit issued in accordance with Section 4 of the Military Equipment Act (1992:1300) is not required for small arms or parts thereof if trading is covered by provisions contained in the Weapons Act (1996:67).

Section 6

An application for a permit under Section 4 of the Military Equipment Act (1992:1300) for activities which involve the supply of military equipment, inventions concerning military equipment and methods for the production of such equipment shall contain information regarding

1. the applicant's name, citizenship, occupation, place of residence and, in the case of a company, the trade name and certificate of incorporation and also, in the case of a trading partnership or a joint stock company, information concerning ownership at the time of application,
2. the type of military equipment, invention concerning military equipment or method for the productions of such equipment to which the applicant's activities will be related, and
3. the person(s) or entity(ies) which the applicant proposes to represent.

#### Section 7

An application for a permit under Section 5 of the Military Equipment Act (1992:1300) to supply a person or entity abroad with military equipment located abroad, inventions concerning military equipment and methods for the production of such equipment shall contain information regarding

1. the applicant's name, citizenship, occupation and place of residence,
2. the nature and value of the equipment, invention or method,
3. the person or entity which has made available the equipment, invention or method abroad,
4. the buyer or other recipient,
5. the end user of the military equipment supplied, and
6. the intended supply date.

### **Export**

Section 8 An application for exportation in accordance with Section 6 of the Military Equipment Act (1992:1300) shall contain information regarding

1. the applicant's name and place of residence,
2. the type, quantity and value of the equipment,
3. the buyer, consignee and end user,
4. the reason for exportation, and
5. the period of validity requested for the export permit and the intended date of exportation.

### **Special Provisions regarding the Exportation of Small Arms**

#### *Exceptions from the Prohibition on Exportation*

##### Section 9

A private person may without a permit take small arms for his personal use and ammunition for this weapon with him when leaving Sweden if he is entitled to be in possession of the weapon in Sweden under the Weapons Act (1996:67) and if the weapon is to be brought back to Sweden.

Further provisions concerning the exportation of small arms, etc are contained in Chapter 2 Section 17 of the Weapons Act.

##### Section 10

repealed.

#### *Decision by the Police Authorities*

##### Section 11

The police authorities will consider questions concerning the exportation of small arms and parts thereof which are categorized as other military equipment and, where

applicable, ammunition pertaining thereto if the applicant is entitled to be in possession of the weapon in Sweden under the Weapons Act (1996:67) and

1. wishes to export not more than ten weapons when moving abroad,
2. wishes to export the weapon for hunting, competition purposes or target practice abroad, if the weapon is to be brought back into the country,
3. wishes to transfer not more than ten weapons to a private person in a Nordic country or another country which has acceded to the European Weapons Convention,
4. wishes to export the weapon or parts thereof for repair, overhaul or other similar measure, if the equipment is to be brought back into Sweden, or
5. wishes to re-export the weapon or parts thereof following repair, overhaul or other similar measure, if it is destined for a recipient in the country from which it was imported.

A permit for the exportation of small arms to a private person in accordance with subsection 3 may only be granted if the applicant can show that the recipient is entitled to be in possession of the weapon in the country to which it is to be exported.

#### Section 12

Questions concerning permits in cases covered by Section 11 are considered,

1. if the applicant is a private person, by the police authority in the locality in which the applicant is officially resident for national registration purposes, or, if he is not registered in Sweden, by the police authority where he is resident,
2. if the applicant is a legal entity, by the police authority in the locality in which the board of the company has its headquarters or where its administration is carried out, or, in the case of the estate of a deceased person or a bankrupt estate, by the police authority in the locality in which the deceased person or the bankrupt estate is registered.

#### Section 13

If a permit for the exportation of small arms is granted in accordance with Section 11, a copy of the permit decision shall be despatched to the National Police Board if

1. exportation is to be undertaken to a state which has acceded to the European Weapons Convention and such weapons are not intended for a government authority in the receiving country,
2. weapons are to be exported for a period which exceeds three months and
3. the permit does not concern weapons or parts thereof covered by Chapter 13 Section 5 of the Weapons Ordinance (1996:70).

The National Police Board shall notify the authority concerned in the foreign state of such exportation.

#### *Board of Customs Regulations*

#### Section 14

The Board of Customs may issue regulations for the exportation of small arms and ammunition pertaining thereto which

1. have been brought into the country in accordance with the provisions contained in Chapter 2 Section 13b of the Weapons Act (1996:67),
2. a traveller has taken through the country in accordance with the provisions contained in the Act concerning the Transportation, Storage and Destruction of Goods Subject to Import Regulations, etc (1973:980) in connection with hunting, competition or target practice in another country.

### **Notification to the Customs Authorities of the Exportation of Military Equipment**

## Section 15

The exportation of military equipment which is not covered by the provisions of Section 9, 11 or 14 shall be notified to the customs authorities not later than one week prior to the intended date of exportation.

Notification is not required if, in accordance with the exportation permit, the exportation concerns

1. equipment which is exported for repair, overhaul or any other similar measure and is to be brought back into the country,
2. equipment which is re-exported following repair, overhaul or any other similar measure,
3. equipment which is to be exported for demonstration purposes or on loan and subsequently brought back into the country if not consumed or used up, or
4. equipment which is exported following replacement/exchange or is returned as the result of complaint, wrong delivery or for other similar reasons.

The Board of Customs or the customs authority designated by the Board of Customs may grant exemption from the first paragraph in special cases if there are special reasons for exemption.

## **Marketing, etc**

### Section 16

Reports required under Section 11 of the Military Equipment Act (1992:1300) shall contain information about the countries outside Sweden in which marketing is conducted, the particular recipients to which marketing efforts are addressed and the types of equipment marketed. Reports are to be made for each calendar quarter and are to be submitted to the National Inspectorate of Strategic Products not later than one month after the close of each quarter.

## **Notification of Tenders, etc**

### Section 17

Notifications required by Section 12 of the Military Equipment Act (1992:1300) shall be made not later than four weeks prior to the submission of a tender or, where there is no tendering procedure, prior to entering into an agreement, unless, in particular instances, the National Inspectorate of Strategic Products grants an exemption from this requirement.

The notification shall contain information regarding

1. the name and place of residence of the recipient of a tender or the person or entity with whom an agreement is to be concluded, and
2. the type, quantity and estimated value of the equipment.

### Section 18

The obligation to provide notification under Section 12 of the Military Equipment Act (1992:1300) does not apply if the tender or agreement refers exclusively to the sale or other form of supply of spare parts, components or gear related to military equipment to a previous buyer or consignee in a particular country where an export permit has been granted for the military equipment, or spare parts, components or other gear related to it in the course of the previous three years.

## **Supervision, etc**

## Section 19

Repealed.

## Section 20

Information covered by Section 21 of the Military Equipment Act (1992:1300) regarding changes in the circumstances described in an application for a permit shall be notified to the National Inspectorate of Strategic Products not later than one month after the permit-holder becomes aware of such a change in circumstances.

If such a change involves the cessation of manufacture or operations concerning the supply of military equipment, the Inspectorate shall be notified not later than at the end of the calendar year during which operations ceased.

If the permit refers to the manufacture of chemical products, the Inspectorate shall be notified of any planned changes in activities not later than 210 days before their implementation.

### **Obligation to provide Information and Declarations**

## Section 21

Information submitted in accordance with Section 19, first paragraph, of the Military Equipment Act (1992:1300) shall refer to military equipment which has been invoiced and supplied. The information shall state

1. the type and quantity of equipment,
2. the invoiced value of the equipment,

In a preventive case the information shall include information about

1. the export licence or permit according to paragraph 6 and paragraph 4 of the Military Equipment Act (1992:1300) to which the delivery relates, and
2. the country of final destination.

## Section 22

A notification submitted in accordance with Section 21 shall be submitted to the National Inspectorate of Strategic Products

1. not later than one month after the end of each completed calendar half year in the case of a holder of a permit under Section 3 of the Military Equipment Act (1992:1300),
2. not later than 31 January each year concerning activities during the previous year in the case of a holder of a permit under Section 4 of the above Act.

A permit holder who has not conducted any activities in the course of a calendar year in accordance with a permit granted shall notify the National Inspectorate of Strategic Products of this circumstance not later than 31 January of the following year.

The notification referred to in the first paragraph shall be made on a form specified by the National Inspectorate of Strategic Products.

## Section 22a

A declaration in accordance with Section 19 of the Military Equipment Act (1992:1300) shall be submitted to the National Inspectorate of Strategic Products by any person or entity who

1. produces, prepares, uses, acquires, disposes of or stores the substances referred to in Part C of the Annex to this Ordinance, or
2. during the previous calendar year produced, prepared, used, acquired, disposed of or stored such substances.

The provisions of the first paragraph also apply to compositions of chemical products, mixtures, formulations or the like containing any of the substances listed in Part C of the Annex to this Ordinance.

In this context "produce" also means that the substance was made as an intermediate product in a process or that the substance came into being as a coproduct, by-product or a contaminant in a process.

The duty to make a declaration in accordance with the first paragraph does not apply to a person or entity who manufactures at most 100 grams yearly of such chemical products for medical or pharmaceutical purposes or for research purposes.

#### Section 22b

The declaration in accordance with Section 22a shall be submitted

1. each year not later than 15 January and shall refer to activities in the previous calendar year,
2. each year not later than 15 September and shall refer to activities planned for the next calendar year,
3. not later than 210 days prior to the start of a new plant (initial declaration) or when changes relating to a previously submitted declaration are implemented,
4. not later than 15 October 1994 regarding details under Section 22c subsection 1, 22d sub-sections a2 and 5, and not later than 15 February 1995 regarding other details under Section 22c, and Section 22d subsection a, and shall refer to activities during the previous calendar year (initial declaration).

#### Section 22c

In the declaration, the person or entity liable to submit a declaration under Section 22a, shall give information concerning

1. the name and address of the company and the number of plants within the company,
2. the name, address, exact location and owner of each individual plant or of the company that is running it and the number of production units within the plant,
3. the exact location of each production unit,
4. detailed technical descriptions of the plant, including detailed drawings and lists of equipment, and
5. the main activities at the plant and its units.

#### Section 22d

The declaration in accordance with Section 22a shall

a) in the initial declaration and in the annual declaration covering the previous calendar year, for each substance in accordance with the Annex to this Ordinance, Part C, contain the following information:

1. whether the preconditions under Section 22a exist,
2. the unequivocal chemical name of the substance, its CAS number (Chemical Abstracts Service) or, if there is no such number, its structural formula and trade name or trivial name.
3. the name of the product of which the substance is part and the content of substance in the respective product,
4. manufacturing methods and the name and amount of the basic substances used for production,
5. the total amount in kg which at each plant has been:
  - produced/synthesized
  - prepared,
  - used,
  - acquired, with details of the transferor,
  - disposed of or otherwise transferred, with details of the recipient,

- stored, and
  - 6. each modification at the plant during the year as compared with the previously submitted detailed technical descriptions of the plant, including detailed drawings and lists of equipment, and
  - 7. the purpose for which the substance has been produced, prepared, used, acquired, disposed of or stored.
- b) in the declaration for the next calendar year, for each substance under the Annex to this Ordinance, Part C, details should be given regarding:
1. whether the preconditions under Section 22a exist,
  2. the unequivocal chemical name of the substance, its CAS number (Chemical Abstracts Service) or, if there is no such number, its structural formula and trade name or trivial name,
  3. the name of the product of which the substance is part and the content of substance in the respective product,
  4. the total amount in kg which each plant is planning to:
    - produce/synthesize with details of periods for anticipated production,
    - prepare
    - use
    - store, and
  5. each anticipated change at the plant in comparison with previously submitted detailed technical descriptions of the plant, including detailed drawings and lists of equipment, and
  6. the purposes for which the substance is to be produced, prepared, used or stored.

#### Section 23

The holder of a permit under Section 7 or 8 of the Military Equipment Act (1992:1300) shall notify the National Inspectorate of Strategic Products of the transfer abroad of the right to manufacture military equipment or of cooperation agreements entered into with persons or entities abroad.

The notification shall provide information regarding the substance of such agreements, whether the agreements are still in force, whether manufacture or development under such an agreement is still taking place and how the cooperative efforts have been structured.

A notification shall be submitted annually not later than 31 January and shall refer to circumstances pertaining on 31 December of the previous year.

#### Section 24

An entity obliged to supply information to the National Inspectorate of Strategic Products under Section 17 of the Military Equipment Act (1992:1300) concerning ownership in foreign legal entities involved in the development, manufacture, marketing or sale of military equipment shall provide information regarding

1. the name and address of the foreign legal entity,
2. the country in which the foreign legal entity conducts its business,
3. the proportion of the foreign legal entity owned by the Swedish legal entity, and
4. the nature of the activities involving military equipment conducted by the foreign legal entity.

Such information shall be submitted annually not later than 31 January and shall refer to circumstances pertaining on 31 December of the previous year.

#### **Fees**

Section 25

Repealed

Section 26

A fee shall be levied for the processing of applications for permits under Section 11. The amount of the fee shall be governed by the regulations in Sections 9-14 of The Fees Ordinance (1992:191), applying charge category 2.

**Provisional regulations**

**1992:1203**

This Ordinance enters into force on 1 January 1993, when the Ordinance concerning Control of the Manufacture of Military Equipment and Related Matters (1983:1036) and the Ordinance concerning the Prohibition of the Exportation of Military Equipment and Related Matters (1988:561) will cease to apply.