

This is a translation from the original Swedish text. For the authoritative text, please see the Swedish version.

Act (2018:1250) on the crediting of periods of deprivation of liberty

Introductory provision

Section 1

This act contains provisions on when periods of deprivation of liberty in Sweden or abroad shall or may be credited as execution of a sentence.

Crediting of periods of deprivation of liberty in Sweden and abroad

Section 2

If a person has been sentenced to prison for a fixed term or to institutional care of young persons and the sentenced person, owing to the offences tried in the case or to which the sentence relates, has been deprived of his or her liberty in Sweden or abroad for a continuous period of at least 24 hours, the period of deprivation of liberty shall be credited to the sentenced person as execution of the sentence.

Such crediting shall not be awarded if

- (1) The period of deprivation of liberty has already been credited to the sentenced person; or,
- (2) The sentenced person has served a custodial sentence in another case during the period of deprivation of liberty

Conditions imposed on a transfer of enforcement from another state to Sweden shall apply when applying this section.

Decision that a sentence is to be regarded as completely or partially executed

Section 3

If a person is sentenced to prison for a fixed term or to institutional care of young persons and the sentenced person, owing to the offences tried in the case or to which the sentence relates, has been deprived of his or her liberty in a way that shall be credited as execution of sentence in accordance with Section 2, the court may decide that the sentence is to be regarded as completely executed through the deprivation of liberty. A prerequisite for such a decision is that the punishment term does not exceed the period of deprivation of liberty by more than a trivial amount.

If a person is sentenced to a fine or to youth service and the sentenced person, owing to the offences tried in the case or to which the sentence relates, has been deprived of liberty in a way that shall be credited as execution of the sentence in accordance with Section 2 the court may decide that the sentence is to be regarded as having been completely or partly executed through the deprivation of liberty.

Other provisions

Section 4

When examining an appeal against a sentence, a higher court may amend a decision on an issue falling under Section 3 even if said decision was not appealed.

Section 5

The government, or the authority designated by the government, may under Chapter 8, Section 7 of the Instrument of Government, announce further instructions on the application of this act.

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1. This act enters into force on 1 April 2019.
 2. Older provisions shall still apply regarding deprivations of liberty that occurred prior to said coming into force.
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