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Sami Parliament Act (1992:1433)

[\[Facts & History\]](#)

Chapter 1. Introductory provisions

Section 1. This Act provides provisions for a special authority – the Sami Parliament – with the primary task of monitoring questions related to Sami culture in Sweden.

Section 2. In this Act, Sami refers to a person who considers him/herself to be Sami and

1. ensures that he or she has or have had the Sami language spoken at home, or
2. ensures that any of his or her parents or grandparents have or have had the Sami language spoken at home, or
3. has a parent who is or has been listed on the electoral roll of the Sami Parliament.

What is mentioned in [Item 3 first paragraph](#) is not applicable if the County Administration has decided that the parent should not be listed on the electoral roll on the basis that the parent is not a Sami. Act (2006:803).

Chapter 2. The Sami Parliament

Assignments of the Sami Parliament

Section 1. The Sami Parliament shall work for a living Sami culture, taking initiatives for activities and proposing measures for promoting this culture. The assignments of the Sami Parliament include, in particular

1. deciding on the allocation of state subsidies and funds from the Sami Foundation to Sami culture and Sami organizations, as well as funds that are intended for the common disposal of the Sami people.
2. appointing the Board of Directors for the Sami school indicated in [Chapter 8 Section 6](#) of the Education Act ([1985:1100](#)),
3. guiding the work on the Sami language,
4. participating in community development and ensuring that Sami needs are considered, including the interests of reindeer breeding in the use of land and water,
5. providing information on Sami conditions,
6. performing the additional tasks that pertain to the Sami Parliament pursuant to legislation or other statutes. Act (2006:803).

Section 1 a. The Sami Parliament may give financial benefits and other assistance to the groups, parties or similar associations who are or have

been represented in the Sami Parliament (party funding).

The Government or the authority appointed by the Government provides directions for the size and format of the party funding. The funding may not be shaped in a way that unduly favours or neglects any association. Act (2006:803).

Composition of the Sami Parliament, etc.

Section 2. The Sami Parliament shall consist of 31 elected members. Proxies shall be chosen for the members. For the number of proxies and how they are to be chosen, the provisions in [Chapter 14 Section 15](#) of the Electoral Act ([2005:837](#)) on the election of county councillors shall apply. The members must be Swedish citizens.

By proposal of the Sami Parliament, the Government appoints the chairman of the Sami Parliament. The chairman shall be chosen among the members of the Parliament. The Sami Parliament chooses one or several vice chairmen among the members. The Sami Parliament may cancel the assignments of the vice chairmen. Act (2006:803).

Section 3. The Sami Parliament decides when regular meetings shall be held.

Meetings shall also be held if the Board of Directors or at least one third of the Parliament members so demand, or if the chairman deems it necessary.

Section 3 a. Members and proxies have a right to any leave from their employment that is required to carry out their assignments in the Sami Parliament, on its Board of Directors and committees. Act (1996:122).

Board of Directors and Committees

Section 4. The Sami Parliament shall, among the members of the Parliament, choose a Board of maximum seven members and as many proxies who shall manage the regular operations of the Sami Parliament. One of the members shall at that time be appointed chairman.

The Board of Directors shall

1. prepare and present motions in matters that shall be handled by the Sami Parliament,
2. manage the financial administration,
3. implement the decisions of the Sami Parliament if such implementation has not been assigned to anybody else,
4. perform the assignments that the Sami Parliament has given to the Board.

Section 5. The Sami Parliament shall appoint an election committee responsible for the assignments of the Sami Parliament during an election to the Sami Parliament.

In addition, the Sami Parliament can appoint the committees required

for preparation, administration and implementation. Act (2004:538).

Section 5 a. The Sami Parliament may revoke the assignments of elected members of the Board or a committee, when the political majority of the Board or committee no longer is identical to that of the Sami Parliament. Act (2006:803).

Case Management

Section 6. The Sami Parliament may only manage cases when over half its members are present. Each member has one vote.

A member of the Sami Parliament may not participate in the management of cases that pertain to the member personally or a spouse, parent, child, sibling or other kindred of the member. Nor may a member participate in the management of cases with a particular connection to a Sami village where the member is part of the administration.

Minutes shall be taken during meetings of the Sami Parliament.

What is mentioned in the [first](#), [second](#) and [third paragraphs](#) applies equally to its Board and committees. Act (2006:803).

Section 6 a. The Board and committees of the Sami Parliament make decisions on issues regarding the administration and the exercising of authority of the Sami Parliament as well as other issues that fall within their jurisdiction by law or other statute. Act (2006:803).

Section 7. The decisions of the Sami Parliament, its Board and committees may only be appealed if specific regulations so permit.

Provisions for appeal of the decisions of the Sami Education Board are based on the Education Act ([1985:1100](#)).

Chapter 3. Elections to the Sami Parliament

Section 1. Elections to the Sami Parliament shall be held every four years (election year). The election day is the third Sunday in May.

Section 2. For elections to the Sami Parliament, the country forms a constituency. The electoral committee appoints election supervisors and also carries out the assignments mentioned in this chapter. At elections to the Sami Parliament, assignments are also carried out by the central election authority pursuant to the Electoral Act ([1997:157](#)) and by the County Administration in the county where the Sami Parliament resides. Act (2004:538).

Right to Vote etc.

Section 3. Any person listed on the Sami electoral roll has the right to vote for the Sami Parliament.

A Sami who registers with the electoral committee, is a Swedish citizen and, on election day, has turned or will turn 18, is listed on the

Sami electoral roll.

Under the condition of Swedish citizenship in the second paragraph, the electoral roll shall also include those foreigners who, according to the national registration database pursuant to Act (2001:182) on the processing of personal information in the National Tax Board census, have been registered in the country for three consecutive years before election day, and who register with the electoral committee. Act (2003:704).

Section 4. The application to the electoral committee for listing on the Sami electoral roll must be received at the latest on 20 October in the year before election year.

A person who has been listed on the Sami electoral roll shall be deleted by request, or in case of death. Act (2006:803).

Section 5. The electoral committee shall have prepared a preliminary Sami electoral roll at the latest on 15 November in the year before election year. The electoral roll shall contain information about

1. Sami who have previously been listed on the Sami electoral roll, who meet the conditions for the right to vote according to [Section 3](#) and who have not requested to be removed from the electoral roll, and
2. Sami who have registered according to [Section 4](#) and who meet the conditions according to [Section 3](#).

The preliminary electoral roll shall be made available for scrutiny in a manner determined by the central election authority in consultation with the Sami Parliament. The decision regarding the preliminary electoral roll shall be announced in Post- och Inrikes Tidningar [Swedish Government newspaper and gazette]. Anyone who has registered but not been listed on the preliminary electoral roll shall immediately be notified of this fact. Act (2004:538).

Section 5 a. The person who has registered but not been listed on the preliminary electoral roll may appeal the decision in that part. Furthermore, each person who has been listed on the preliminary electoral roll may appeal the decision concerning somebody else's listing.

The appeal must be received by the County Administration in the county where the Sami Parliament resides at the latest on 15 December of the year before election year.

Appeals of decisions concerning the preliminary electoral roll are tried at a public hearing of the County Administration on 15 February in the election year or, if this day is a Saturday or Sunday, the following Monday.

Decisions of the County Administration may not be appealed. Act (2004:538).

Section 6. When all applicable appeals have been settled by the County Administration, the electoral committee shall establish a final Sami electoral roll, at the latest on 1 March in the election year, listing Sami

who shall be included on the electoral roll, based on the decision of the electoral committee or the County Administration. If the County Administration, after an appeal of the decision about the preliminary electoral roll, has found that someone is not to be listed on the electoral roll, this person shall not be listed on the final roll. Act (2004:538).

Section 7. Anyone listed on the Sami electoral roll shall receive through the central election authority a poll card in the form of an outer envelope as well as an election envelope and a cover envelope. The poll cards and envelopes shall be sent to those entitled to vote at the latest 30 days before election day.

A person entitled to vote who has lost the poll card/outer envelope or has not received it, is entitled on request to obtain a duplicate poll card/outer envelope from the central election authority, the County Administration or the electoral committee. The card must be clearly marked as a duplicate poll card. Act (2006:803).

Candidates

Section 8. Anyone who has the right to vote for the Sami Parliament and is a Swedish citizen, is an eligible candidate to the Sami Parliament, if not otherwise stated in [Section 9](#).

Section 9. Candidates to the Sami Parliament shall be announced to the central election authority at the latest on 15 March of the election year. The announcement shall state which group, party or similar association the candidates belong to, and include the names of at least three candidates in distinct sequence. The announcement shall also attach a written declaration from each candidate that he or she has given permission for the announcement.

In addition, for groups, parties or similar associations that do not have a mandate in the Sami Parliament, the announcement shall have the documented support of at least 50 persons, who must be listed in the final electoral roll for the coming election.

The central election authority decides about registration of groups, parties or similar associations and candidates. The decision of the authority may not be appealed.

Other candidates than those representing registered groups, parties or similar associations are not eligible. Act (2006:803).

Ballots

Section 10. The central election authority issues ballots. On the ballot, the group, party or similar association as well as at least three candidates for the group, party or association shall be indicated.

Names of the candidates shall be given a number and be listed in numerical order underneath each other. Beside each candidate's name, there shall be a space, where the voters can leave a specific personal

vote.

For each registered group, party or association, there may be ballots with different combinations of candidates. Act (2004:538).

Section 11. The ballots shall be identical in size and material.

Section 12. Each registered group, party or association is given ballots in the amount that the central election authority decides, the same amount for all. If there are different ballots for the same group, party or association, this applies to each such version of the ballot.

Larger quantities of ballots are supplied by the central election authority if the client pays for the ballots in advance. Act (2004:538).

Voting

Section 13. Anyone with the right to vote for the Sami Parliament may vote either at a polling station, or by mail to the County Administration in the county where the Sami Parliament resides (mail voting). Act (2004:538).

Section 14. The electoral committee decides in what localities the voting can occur at polling stations. The polling stations shall be open between 8 a.m. and 8 p.m. on election day.

Voting at a polling station

Section 15. When voting at a polling station, the voter personally puts the ballot into an election envelope and seals it. The voter gives the election envelope and the outer envelope that is also a poll card to the election supervisor. The latter checks that the voter has prepared only one election envelope and that the envelope does not carry any unauthorized markings. In the presence of the voter, the election supervisor then places the election envelope in the outer envelope and seals it. Finally, the election supervisor retains the outer envelope and enters the voter's name in a special list.

Anyone who lacks the outer envelope that is also a poll card may not vote. A voter who is unknown to the one receiving the vote must show identification. If this is not done, the person may not vote. Act (2006:803).

Section 16. If the election envelope carries unauthorized markings, it may not be accepted. If the voter has handed over more than one election envelope, only one may be accepted. If the voter so requests, all election envelopes shall be returned to the voter. Act (2006:803).

Section 17. When voting at a polling station, [Chapter 7 Section 3](#) and [Chapter 8 Sections 4 and 5](#) of the Electoral Act (2005:837) shall also apply.

If the voting is interrupted, any received outer envelopes shall be safeguarded. Act (2005:843).

Section 18. The election supervisor shall immediately send the received and sealed outer envelopes to the County Administration in the county where the Sami Parliament resides, together with the list of the voters having voted at the polling station. The package shall be sent by registered mail. Act (2004:538).

Voting by Mail

Section 19. When voting by mail, the voter personally puts the ballot into an election envelope and seals it. In the presence of two witnesses, the voter then places the election envelope in the outer envelope that is also a poll card and seals it. Thereafter, the voter writes on the outer envelope a sworn declaration that this procedure has been followed. The witnesses certify in writing that the voter in person has signed the declaration and that they are unaware of any conditions contesting the information that the voter has noted on the outer envelope. The addresses of the witnesses are given on the outer envelope. The witnesses must have turned 18. The spouse or children of the voter may not act as witnesses.

When the mail vote package has been prepared according to the [first paragraph](#), the voter places the package in a cover envelope and seals it. The package is then mailed to the County Administration in the county where the Sami Parliament resides.

A voter who is prevented from voting in the prescribed order due to a physical defect may for this purpose use an assistant. Act (2006:803).

Section 20. A mail vote package shall be delivered at the latest on election day.

Section 21. Whenever mail vote packages are received by the County Administration, their number shall be entered in a special record. Pending the final count and distribution of mandates, the packages shall be safeguarded. Act (2004:538).

Vote Count

Section 22. At a public function to be started as soon as possible a week after election day, the County Administration shall scrutinize and count the votes cast.

During the count, the County Administration tests the validity of the ballots and announces the decisions based on the test results. Relevant parts of [Chapter 13 Sections 6 and 7](#), [Section 8 first paragraph 1](#) as well as the [second](#) and [third paragraphs](#) of the Electoral Act ([2005:837](#)) shall apply in this respect.

Furthermore, if a name has been added to a ballot, it shall be considered nonexistent.

Minutes shall be taken at the function. Act (2005:843).

Section 23. The scrutiny starts with a count of the outer envelopes

having been received from the polling stations. The number of envelopes is compared to the number of votes cast according to the lists from the polling stations. The voters having voted at a polling station are then entered on the electoral roll.

If a voter has voted more than once at a polling station, the ballots of the voter shall be declared invalid, and the outer envelopes with the voter's ballots put aside unopened. Act (2006:803).

Section 24. When the votes to be declared invalid according to [Section 23 second paragraph](#) have been put aside and the declaration of invalidity has been entered in the protocol, it is verified that the remaining envelopes are closed.

If the outer envelope is sealed, it is opened and the election envelope is scrutinized. It is then verified that the election envelope is in the prescribed condition, that the voter has prepared one election envelope only, and the election envelope does not carry any unauthorized markings. Act (2000:1214).

Section 25. If no flaw is detected during the scrutiny performed according to [Section 24](#) the election envelope is put in a ballot box. In other cases, the vote is declared invalid, and the outer and election envelopes are put aside. The election envelope shall remain in the outer envelope. The declaration of invalidity is entered in the protocol. Act (2000:1214).

Section 26. When the votes from the polling stations have been processed according to [Sections 23-25](#), the scrutiny continues of the mail votes that have been received by the County Administration before the start of the function.

Mail votes that are received after the start of the function are without further measure put aside. Act (2004:538).

Section 27. Scrutiny of the mail vote packages starts by counting the cover envelopes, and their number is entered in the protocol. Thereafter it is verified that

1. the cover envelopes have not been opened after having been sealed, and
2. the package has not been dispatched after election day.

If no flaw is detected during the scrutiny referred to in the [first paragraph](#) the approved packages shall be further processed according to the instructions in [Section 28](#). In other cases, the packages are put aside. The number of packages having been put aside is entered in the protocol.

Section 28. When the inspection according to [Section 27](#) is concluded, the approved cover envelopes are opened.

Then it is verified that the same voter has not put more than one outer envelope in the cover envelope, and has not voted in a polling station or more than once through mail voting.

If no flaw is detected during the scrutiny referred to in the [second](#)

[paragraph](#) the outer envelope is further processed according to the instructions in [Section 29](#). In other cases, the votes in the package are considered invalid, a declaration is entered in the protocol and the package is put aside.

Section 29. When the inspection according to [Section 28](#) is concluded, the outer envelopes of the packages that have not been put aside are scrutinized.

It is then verified that the package is in the prescribed condition. If so, the outer envelope is opened and the election envelope is scrutinized in the same manner as prescribed in [Section 24 second paragraph](#) concerning election envelopes for voting at a polling station. Act (2000:1214).

Section 30. If no flaw is detected during the scrutiny performed according to [Section 29](#) the election envelope is put in a ballot box together with the approved election envelopes from the polling stations. In other cases, the vote is declared invalid, and the outer and election envelopes are put aside. The election envelope shall remain in the outer envelope. The declaration of invalidity is entered in the protocol. Act (2000:1214).

Section 31. When the count is concluded, packages, outer envelopes and election envelopes to be put aside and invalid ballots shall be placed in special covers that are sealed and stored until the election has gained legal force.

Approved ballots are placed in special covers that are sealed and stored until the expiry of the election period. Act (2000:1214).

Section 32. When allocating the mandates between groups, parties and similar associations, the mandates shall be distributed proportionally based on the election result. The mandates are allocated consecutively to the group, party or similar, that each time shows the highest comparative figure. As long as the group, party or association has not yet received a mandate, the comparative figure corresponds to the number of votes divided by 1.4. The comparative figure is then calculated by dividing the number of votes with the number that is one higher than the double amount of mandates already allocated to the group, party or association.

One member shall be appointed for each mandate that a group, party or similar association has received. When a member is appointed, the rules in Chapter 14 Sections 9 and 10 of the Electoral Act ([2005:837](#)) on parliamentary elections shall apply. To determine an individual number of votes for a candidate, he/she must in addition have received at least 25 specific personal votes.

When the County Administration has distributed the mandates in the Sami Parliament, the election result shall be published in Post- och Inrikes Tidningar.

The County Administration shall immediately report the election

result to the Sami Parliament and the Government, and issue certificates to elected members and proxies. Act (2006:803).

Section 32 a. If a member has resigned before the expiration of the period for which he/she has been elected, the County Administration shall, following notification by the chairman of the Sami Parliament, summon a new permanent member pursuant to the provisions in [Chapter 14 Section 21](#) of the Electoral Act (2005:837) concerning a new permanent county councillor.

If a proxy of a member has become a permanent member or resigned as proxy for other reasons, the County Administration shall, following notification by the chairman of the Sami Parliament, appoint another proxy pursuant to the provisions in [Chapter 14 Section 22](#) of the Electoral Act concerning proxy of a county councillor.

The function referred to in the [first](#) and [second paragraphs](#) is concluded when the protocol of the function has been presented for review. After the count, the ballots shall be returned to the cover as prescribed in [Section 31](#). Act (2006:803).

Section 33. The decisions of the County Administration according to [Sections 22](#), [32](#) and [32 a](#) may be appealed at the Election Appeal Board. A decision may be appealed by anyone who, according to the electoral roll, was eligible to vote in the election. It may also be appealed by a group, party or similar association that has participated in the election.

The appeal shall reach the Election Appeal Board at the earliest the day after election day, and at the latest within ten days after the publication of the election results according to [Section 32](#) or [32 a](#).

When the Election Appeal Board examines the appeals referred to in this Section, it may revoke the election and order a re-election or arrange for other less radical measures according to the grounds stated in [Chapter 15 Sections 13](#) and [14](#) of the Electoral Act (2005:837). Act (2005:843).

Re-election

Section 34. For re-election to the Sami Parliament, the central election authority shall determine the election day, after consultation with the County Administration in the county where the Sami Parliament resides and the electoral committee of the Sami Parliament. The decision may not be appealed. Act (2004:538).

Section 35. The final electoral roll established for the regular election shall be used during the re-election. Act (2004:538).

Section 36. In other respects, applicable parts of the provisions in this Act on regular elections shall apply to the re-election. Act (2004:538).

Information in the National Register

Section 37. For updating, completing and checking the Sami electoral roll, information may be gathered regarding name, person number, address and citizenship from the National Tax Board's records regarding information in the National Register. Act (2004:538).

Chapter 4. Repealed by Act (2004:538).

Transitional Provisions

1992:1433

1. This Act shall enter into force on 1 January 1993.
2. The first election to the Sami Parliament is held on 16 May 1993 pursuant to the provisions of this Act. The first meeting of the Sami Parliament shall occur in August or September 1993.
3. Assignments that, pursuant to this Act, are incumbent on the electoral committee shall during the first election be performed by an organizing committee, specially appointed by the Government. A decision by this committee pursuant to [Chapter 3 Section 5](#) that someone should not be included in the electoral roll may be appealed to the County Administration in Norrbotten county.
4. Applications to the Sami electoral roll for participation in the 1993 election to the Sami Parliament must be received by the organizing committee at the latest on 25 January 1993.


