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Mass media and privacy in Sweden

Birgitta Åbjörnsson

International Legal Adviser

Data Inspection Board

Sweden

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Constitutional rules on data protection

- 1) No record about a citizen in a public register may be based without his consent solely on his political opinions.
- 2) Citizens shall be protected to the extent determined in detail by law against any infringement of their personal integrity resulting from the registration of information about them by means of electronic data processing.

(Chapter 2, Article 3 of the Instrument of Government)

Section 7 of the Personal Data Act

The provisions of this Act are not applied to the extent that they would contravene the provisions concerning the freedom of the press and freedom of expression contained in the Freedom of the Press Act or the Fundamental Law on Freedom of Expression.

Section 7 contd.

The provisions of shall not be applied to such processing of personal data as occurs exclusively for journalistic purposes or artistic or literary expression.

Section 8

The provisions of this Act are not applied to the extent that they would limit an authority's obligation under Chapter 2 of the Freedom of the Press Act to provide personal data.

Basic principles of the Freedom of the Press Act and the Fundamental Act on Freedom of Expression

1. Freedom to publish
2. Ban on censorship
3. Responsible publisher and the right to communicate information
4. Special catalogue of offences
5. Special procedure of trial including a jury

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The Database rule

- The provisions concerning radio programmes also apply in cases in which the editorial body of a periodical publication or radio programme ---- or a news agency makes available to the general public, on request, information taken directly from a data bank using electromagnetic waves.

Code of Ethics for the Press, Radio and Television

■ Rules on publicity

- Provide accurate news
- Treat rebuttals generously
- Respect individual privacy
- Exercise care in the use of pictures
- Listen to each side
- Be cautious in publishing names

Voluntary constitutional protection

1. Anyone who wishes can obtain voluntary constitutional protection for information and statements on the Internet.
2. A responsible publisher has to be designated.
3. Application to the Radio and TV authority.
4. Fee of approximately 200 euro.

Amendment of the Personal Data Act

- The handling rules of the Personal Data Act need not be applied when processing personal data in running text (unstructured material). However, the processing must not entail a violation of the integrity of the registered person.
- (Amendment entered into force in January 2007.)

Amendement, contd.

- **Some guidelines that must be observed:**
- Do not process personal data for improper ends, such as persecution or disgracing.
- Do not compile a large quantity of data about a person without acceptable reason.
- Correct personal data which proves to be incorrect or misleading.
- Do not defame or insult another person.
- Do not breach secrecy or duty of confidentiality.

Committees

- In 2004 the *Committee on the protection of personal integrity and privacy* was set up.
- In 2006 a *Working Committe* was set up to, among other things, analyse the voluntary constitutional protection.
- The 2006 Committe has been given a new name: *Committee on freedom of expression*



■ Thank you very much for your attention

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