

Income, troubles and legal family formats in Sweden

by Kajsa Walleng¹

The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples

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Published by INED, Paris, 2017, www.LawsAndFamilies.eu

Based on the [LawsAndFamilies questionnaire](#) on legal family formats for same-sex and/or different-sex couples (Section 2 – Income and troubles)

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¹ Kajsa Walleng LLD (biträdande jurist, Advokatfirman Tiberg & Co) is grateful for the useful comments that Hans Ytterberg LLM (Director General of the Swedish Accident Investigation Authority, President of the Equal Opportunities Commission of the Kingdom of Sweden, Ombudsman against sexual orientation discrimination of the Kingdom of Sweden 1999-2008) made on an earlier version of the

answers in this section of the database.

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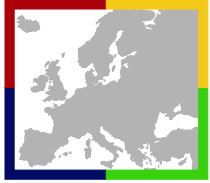


Recommended citation:

K. Walleng, 'Income, troubles and legal family formats in Sweden', in: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*, Paris: INED, 2017, www.LawsAndFamilies.eu (question 2.x).

Acknowledgment

The research leading to these results has received funding from the European Union's Seventh Framework Programme (FP7/2007-2013) under grant agreement no. 320116 for the research project FamiliesAndSocieties, www.familiesandsocieties.eu.



FamiliesAndSocieties

Disclaimer

This paper and this database contain information with a scientific aim. Nothing in this paper and in this database should be seen as legal advice. Not all nuances and exceptions are included, and there may be errors and further legal developments. The experts, the authors, the editors, the Institut national d'études démographiques and Leiden University cannot be held liable for any inaccurate or incomplete information in this paper or in this database. More particularly, they cannot be held liable for any damage or consequences from the direct or indirect use of contents of this paper or database.

The six sections of the questionnaire

The [interactive LawsAndFamilies Database](http://www.LawsAndFamilies.eu) is based on the [LawsAndFamilies questionnaire](http://www.LawsAndFamilies.eu), which consists of six sections:

- Section 1 – Formalisation
- Section 2 – Income and troubles
- Section 3 – Parenting
- Section 4 – Migration
- Section 5 – Splitting up
- Section 6 – Death

Papers and an interactive database

For each jurisdiction there are therefore six papers like this one. And each of these papers contains the full answers, references and explanations (given by

a legal expert for the jurisdiction concerned) to the questions in one of these six sections. All these papers can be found in open access at www.LawsAndFamilies.eu. There the user also has access to the [interactive part of the LawsAndFamilies Database](http://www.LawsAndFamilies.eu), which can be used to search the whole database and to create comparative overviews for different questions, different years, different countries and/or different legal family formats.

This website also contains references to publications analysing the results of the project, and to some other legal, sociological and statistical publications about same-sex and different-sex families. And it gives information about the methodology used for this questionnaire and database.

About the questionnaire

The [full text of the questionnaire](http://www.LawsAndFamilies.eu) can be found in the paper:

K. Waaldijk, J.M. Lorenzo Villaverde, N. Nikolina & G. Zago, 'The LawsAndFamilies questionnaire on legal family formats for same-sex and/or different-sex couples: Text of the questions and of the accompanying guidance document', *FamiliesAndSocieties Working Paper* 64(2016), www.familiesandsocieties.eu.

The [Guidance document](http://www.LawsAndFamilies.eu) contained in that paper, asked the experts answering the questionnaire to make several assumptions. These included the assumption that the partners have been living together as a couple already for at least two years. Plus the assumption (except for certain questions in Section 4 – Migration) that both partners have the citizenship of the country where they are now both lawfully and habitually residing, and that this is also the country where their relationship would have been formalised and where it would be dissolved.

About the answers

This paper contains the answers, references and explanations – for one jurisdiction – to all questions in one of the six sections of the questionnaire. The answers are presented in columns. Each column is a coloured timeline, representing legal developments for one question for one legal family format.

The year at the top of each coloured timeline is the most recent year for which a question was answered by the author. In the timelines the years given above and below an answer indicate that the answer applied between a certain day in the lower year and a certain day in the higher year. The year "0000" means that the answer applied since an unknown year before 1965. See further the [Guidance document](http://www.LawsAndFamilies.eu).

The following **answer codes and colours** have been used:

Yes	Yes, this is so in the law of this country/jurisdiction, although possibly with a qualifying period of 24 months or less.
Yes, but	Yes, but with exceptions or restrictions, for example a qualifying period of 25 months or more, or only in most parts of the country/jurisdiction, or this is mostly a “dead letter”.
No, but	No, but it may be so exceptionally, or in a very limited way, or in a few parts of the country/jurisdiction, or indirectly, or by using a different legal instrument, or legislation says no while some courts might say yes.
No	No, this is not so in the law of this country/jurisdiction.
Doubt	The law is unclear (the law does not “know” the answer).
?	No information was available.
N/A	Not applicable (for example because this family format is not available in this jurisdiction, or not for same-sex or different-sex couples).
X	This question was not asked for this legal family format.
Open question	Question without answer codes like Yes and No.
Empty cell	For this year the question was not asked or not answered.

The six papers about Sweden

The answers concerning Sweden can be found in the [interactive database](#) and in the following six papers (all of which are published in open access in: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*, Paris: INED, 2017, www.LawsAndFamilies.eu):

Formalisation of legal family formats in Sweden

by Hans Ytterberg (Section 1)

Income, troubles and legal family formats in Sweden

by Kajsa Walleng (Section 2)

Parenting and legal family formats in Sweden

by Hans Ytterberg (Section 3)

Migration and legal family formats in Sweden

by Hans Ytterberg (Section 4)

Splitting up and legal family formats in Sweden

by Hans Ytterberg (Section 5)

Death and legal family formats in Sweden

by Kajsa Walleng (Section 6)

So this paper is based on **Section 2 (Income and troubles)** of the [LawsAndFamilies questionnaire](#), which contains questions about the following topics:

- 2.1 Lower income tax
- 2.2 Social benefits
- 2.3 Health insurance
- 2.4 Care between partners
- 2.5 Care for a parent
- 2.6 Next of kin
- 2.7 Domestic violence
- 2.8 Criminal procedure
- 2.9 General background regarding income and troubles

In the following pages of this paper, first the answer to question 2.9 is presented, followed by the answers to questions 2.1 to 2.8.

2.09 - General background regarding income and troubles (Open question)

If you consider it useful to provide some general information or comments about (past, present or future) developments and trends in legal policy and case law in your country/jurisdiction, or information on other aspects (socio-legal, political, legal-cultural, family support, etc.) that may be relevant for the understanding of your answers above regarding income and troubles, then please do so here.

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Jurisdiction: **Sweden**

Source: **K. Walleng**, "Income, troubles and legal family formats in Sweden". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-SE-Section2.pdf](#) (please use this full citation when citing any information from this table).

Section: **2 - Income and Troubles**

Question: **2.01 - Lower income tax**

Can a relationship of this type result in lower income tax than for two individuals without a partner?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 No 1971	2015 No 2009	2015 N/A 0000	2015 No 1995	2015 No 0000	2015 No 0000
Yes, but 0000	N/A 0000		N/A 0000		
References to legal sources: Tax committee's report nr 5 year 1971 (Skatteutskottets betänkande nr 5 år 1971).		References to legal sources:		References to legal sources:	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: Until 1971 married spouses were taxed jointly. This would normally result in the couple paying less total tax. However if both spouses had incomes, the taxation could sometimes be higher than if the spouses would have been taxed as singles. This consequence could however be avoided if the income came from gainful employment and the spouses submitted a separate application for special tax calculation for spouses. The whole idea of joint taxation was that a family could live off just one income (usually the husband's) and therefore the couple could afford to let (usually) the wife stay at home. The joint taxation system was abolished in order to create an incentive for women to start working outside of the home, and meant that it was normally no longer possible to support a family on just one income.</p>		<p>Explanations and nuances: No new partnerships can be registered since 2009.</p>		<p>Explanations and nuances:</p>	

Jurisdiction: **Sweden**

Source: **K. Walleng**, "Income, troubles and legal family formats in Sweden". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-SE-Section2.pdf](#) (please use this full citation when citing any information from this table).

Section: **2 - Income and Troubles**

Question: **2.02 - Social benefits**

When one partner (long-term unemployed or even never having been employed at all) would be entitled to a basic social benefit, will the income of the other partner then be taken into consideration and will it possibly result in loss or reduction of this entitlement?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 Yes 0000	2015 Yes 2009	2015 N/A 0000	2015 Yes 1995	2015 Yes 1988	2015 Yes 1988
	N/A 0000		N/A 0000	? 0000	? 0000
References to legal sources: Art 1 of chapter 4 of the Social Services Act (2001:453) (Socialtjänstlagen) and https://www.socialstyrelsen.se/sosfs/2013-1 (General advice from the National Board regarding financial assistance).		References to legal sources: Art 1 of chapter 4 of the Social Services Act (2001:453) (Socialtjänstlagen) and https://www.socialstyrelsen.se/sosfs/2013-1 (General advice from the National Board regarding financial assistance).		References to legal sources: Art 1 of chapter 4 of the Social Services Act (2001:453) (Socialtjänstlagen) and https://www.socialstyrelsen.se/sosfs/2013-1 (General advice from the National Board regarding financial assistance).	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: In Sweden, married people have a legal supply obligation for each other. This means that a spouse is obliged to assist the other spouse financially if he/she has that economic possibility.</p>		<p>Explanations and nuances:</p>		<p>Explanations and nuances: The same supply obligations as for spouses do not apply to cohabitees. However, the National Board's general advice on financial assistance is that the income of spouses, registered partners and cohabitees should count as joint in the examination of the right to financial assistance.</p>	

Jurisdiction: **Sweden**

Source: K. Walleng, "Income, troubles and legal family formats in Sweden". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-SE-Section2.pdf](#) (please use this full citation when citing any information from this table).

Section: **2 - Income and Troubles**

Question: **2.03 - Health insurance**

Is the amount of money that the two partners in this type of relationship would have to pay for (public or private) health insurance, normally smaller than what two individuals without a partner would have to pay?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 No 0000	2015 No 2009	2015 No 0000	2015 No 1995	2015 No 0000	2015 No 0000
	N/A 0000		N/A 0000		
References to legal sources:		References to legal sources:		References to legal sources:	
Explanations and nuances: There is no specific public health insurance, but a health insurance is included in the social benefit system for all Swedish citizens. As for private health insurance, the contributions are not regulated by law but on the free market.		Explanations and nuances: There is no specific public health insurance, but a health insurance is included in the social benefit system for all Swedish citizens. As for private health insurance, the contributions are not regulated by law but on the free market.		Explanations and nuances: There is no specific public health insurance, but a health insurance is included in the social benefit system for all Swedish citizens. As for private health insurance, the contributions are not regulated by law but on the free market.	

Jurisdiction: **Sweden**

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Section: **2 - Income and Troubles**

Question: **2.04 - Care between partners**

In case one partner is in need of care, does the other partner then have a statutory right to paid or unpaid leave to give that care?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 Yes, but 1989	2015 Yes, but 2009	2015 N/A 0000	2015 Yes, but 1995	2015 Yes, but 1989	2015 Yes, but 1989
No, but 0000	N/A 0000		N/A 0000	? 0000	No 0000
<p>References to legal sources: Chapter 47 of the Social Insurance Code (2010:110) (Socialförsäkringsbalken) www.notisum.se/rnp/sls/lag/20100110.HTM.</p> <p>Prior to January 1, 2011, care for a related person was statued in The Act (1988: 1465) on compensation and time off for family care (Lagen om ersättning och ledighet för närståendevård). The Act 1988:1465 entered into force 1989-07-01.</p>		<p>References to legal sources: Chapter 47 of the Social Insurance Code (2010:110) (Socialförsäkringsbalken) www.notisum.se/rnp/sls/lag/20100110.HTM.</p> <p>Prior to January 1, 2011, care for a related person was statued in The Act (1988: 1465) on compensation and time off for family care (Lagen om ersättning och ledighet för närståendevård). The Act 1988:1465 entered into force 1989-07-01.</p>		<p>References to legal sources: Chapter 47 of the Social Insurance Code (2010:110) (Socialförsäkringsbalken) www.notisum.se/rnp/sls/lag/20100110.HTM.</p> <p>Prior to January 1, 2011, care for a related person was statued in The Act (1988: 1465) on compensation and time off for family care (Lagen om ersättning och ledighet för närståendevård). The Act 1988:1465 entered into force 1989-07-01.</p>	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: A partner can get something that is called "närståendepenning" (related money) in order to care for a seriously ill partner. This money can normally be paid out for 100 Days. Prior to 1 July, 1989, the possibility to get leave from employment to care for a related person was regulated in certain employment areas through collective agreement provisions.</p>		<p>Explanations and nuances: A partner can get something that is called "närståendepenning" (related money) in order to care for a seriously ill partner. This money can normally be paid out for 100 Days.</p>		<p>Explanations and nuances: A partner can get something that is called "närståendepenning" (related money) in order to care for a seriously ill partner. This money can normally be paid out for 100 Days.</p>	

Jurisdiction: **Sweden**

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Section: **2 - Income and Troubles**

Question: **2.05 - Care for a parent**

In case the parent of one partner is in need of care, does the other partner then have a statutory right to paid or unpaid leave to give that care?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 Yes, but 1989	2015 Yes, but 2009	2015 N/A 0000	2015 Yes, but 1995	2015 Yes, but 1989	2015 Yes, but 1989
? 0000	N/A 0000		N/A 0000	? 0000	? 0000
<p>References to legal sources: Chapter 47 of the Social Insurance Code (2010:110) (Socialförsäkringsbalken) www.notisum.se/rnp/sls/lag/20100110.HTM.</p> <p>Prior to January 1, 2011, care for a related person was statued in The Act (1988: 1465) on compensation and time off for family care (Lagen om ersättning och ledighet för närståendevård). The Act 1988:1465 entered into force 1989-07-01.</p>		<p>References to legal sources: Chapter 47 of the Social Insurance Code (2010:110) (Socialförsäkringsbalken) www.notisum.se/rnp/sls/lag/20100110.HTM.</p> <p>Prior to January 1, 2011, care for a related person was statued in The Act (1988: 1465) on compensation and time off for family care (Lagen om ersättning och ledighet för närståendevård). The Act 1988:1465 entered into force 1989-07-01.</p>		<p>References to legal sources: Chapter 47 of the Social Insurance Code (2010:110) (Socialförsäkringsbalken) www.notisum.se/rnp/sls/lag/20100110.HTM.</p> <p>Prior to January 1, 2011, care for a related person was statued in The Act (1988: 1465) on compensation and time off for family care (Lagen om ersättning och ledighet för närståendevård). The Act 1988:1465 entered into force 1989-07-01.</p>	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: Yes, if the partner is considered as "related" to the parent of the partner. There are no statutory provisions regarding who is considered as related. The only requirement is that both the ill person as well as the related are insured in Sweden. Since the term "related" should not be interpreted as "relative" in any biological sence, but rather as "next of kin" which is a broader term, it is most likely that the partner regardless of sex or civil status would qualify. In legal commentaries to the Health and Medical Services Act where the term is also used, it is discussed and compared to the term used in preceding health legislation, i.e. "nära anhörig (closely related) which is a more narrow expression. That term was considered to include, apart from spouses and cohabitees, children (including adopted children), parents, sisters and brothers, also any person designated by the patient as having that role.</p>		<p>Explanations and nuances: Yes, if the partner is considered as related to the parent of the partner. There are no statutory provisions regarding who is considered as related. The only requirement is that both the ill person as well as the related are insured in Sweden. Since the term "related" should not be interpreted as "relative" in any biological sence, but rather as "next of kin" which is a broader term, it is most likely that the partner regardless of sex or civil status would qualify. In legal commentaries to the Health and Medical Services Act where the term is also used, it is discussed and compared to the term used in preceding health legislation, i.e. "nära anhörig (closely related) which is a more narrow expression. That term was considered to include, apart from spouses and cohabitees, children (including adopted children), parents, sisters and brothers, also any person designated by the patient as having that role.</p>		<p>Explanations and nuances: Yes, if the partner is considered as related to the parent of the partner. There are no statutory provisions regarding who is considered as related. The only requirement is that both the ill person as well as the related are insured in Sweden. Since the term "related" should not be interpreted as "relative" in any biological sence, but rather as "next of kin" which is a broader term, it is most likely that the partner regardless of sex or civil status would qualify. In legal commentaries to the Health and Medical Services Act where the term is also used, it is discussed and compared to the term used in preceding health legislation, i.e. "nära anhörig (closely related) which is a more narrow expression. That term was considered to include, apart from spouses and cohabitees, children (including adopted children), parents, sisters and brothers, also any person designated by the patient as having that role.</p>	

Jurisdiction: **Sweden**

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Section: **2 - Income and Troubles**

Question: **2.06 - Next of kin**

In case of accident or illness of one partner, is the other partner considered as next of kin for medical purposes (even without power of attorney)?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 Yes 0000	2015 Yes 2009	2015 N/A 0000	2015 Yes 1995	2015 Yes 1988	2015 Yes 1988
	N/A 0000		N/A 0000	? 0000	? 0000
<p>References to legal sources: Art.2b of the Health and Medical Services Act (1982:763) [Hälso- och sjukvårdslag] authorises information about the patient to be given to the patient´s next of kin. The next of kin shall also be given the opportunity to take part in the planning and carrying out of medical treatments administered to the patient (chapters 3 and 5 of the Patient Act (2014:821) [Patientlag].</p>		<p>References to legal sources: Art.2b of the Health and Medical Services Act (1982:763) [Hälso- och sjukvårdslag] authorises information about the patient to be given to the patient´s next of kin. The next of kin shall also be given the opportunity to take part in the planning and carrying out of medical treatments administered to the patient (chapters 3 and 5 of the Patient Act (2014:821) [Patientlag].</p>		<p>References to legal sources: Art.2b of the Health and Medical Services Act (1982:763) [Hälso- och sjukvårdslag] authorises information about the patient to be given to the patient´s next of kin. The next of kin shall also be given the opportunity to take part in the planning and carrying out of medical treatments administered to the patient (chapters 3 and 5 of the Patient Act (2014:821) [Patientlag].</p>	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: There are no statutory provisions regarding which persons are to be seen as next of kin, but an assessment of the circumstances has to be made by the Health professionals in each individual case. However it is pretty clear that a partner regardless of sex or civil status would qualify as next of kin. In legal commentaries to the Health and Medical Services Act where the term is also used, it is discussed and compared to the term used in preceding health legislation, i.e. "nära anhörig" (closely related), which is a more narrow expression. That term was considered to include both spouses and cohabitees as well as children, parents, sisters and brothers, and also any person designated by the patient as having that role.</p>		<p>Explanations and nuances: There are no statutory provisions regarding which persons are to be seen as next of kin, but an assessment of the circumstances has to be made by the Health professionals in each individual case. However it is pretty clear that a partner regardless of sex or civil status would qualify as next of kin. In legal commentaries to the Health and Medical Services Act where the term is also used, it is discussed and compared to the term used in preceding health legislation, i.e. "nära anhörig" (closely related), which is a more narrow expression. That term was considered to include both spouses and cohabitees as well as children, parents, sisters and brothers, and also any person designated by the patient as having that role.</p>		<p>Explanations and nuances: There are no statutory provisions regarding which persons are to be seen as next of kin, but an assessment of the circumstances has to be made by the Health professionals in each individual case. However it is pretty clear that a partner regardless of sex or civil status would qualify as next of kin. In legal commentaries to the Health and Medical Services Act where the term is also used, it is discussed and compared to the term used in preceding health legislation, i.e. "nära anhörig" (closely related), which is a more narrow expression. That term was considered to include both spouses and cohabitees as well as children, parents, sisters and brothers, and also any person designated by the patient as having that role. Since the cohabitation acts (one act for different-sex cohabitees and one for same-sex cohabitees) entered into force in 1988, it's hard to know whether or not a cohabitee prior to 1988 always was seen as next of kin or not.</p>	

Jurisdiction: **Sweden**

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Section: **2 - Income and Troubles**

Question: **2.07 - Domestic violence**

When one partner uses violence against the other partner, does specific statutory protection apply?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 Yes, but 1998	2015 Yes, but 2009	2015 N/A 0000	2015 Yes, but 1998	2015 Yes, but 1998	2015 Yes, but 1998
No 0000	N/A 0000		No 1995	No 0000	No 0000
			N/A 0000		
References to legal sources: Art. 4a of chapter 4 of the Penal Code (1962:700) (Brottsbalken).		References to legal sources: Art. 4a of chapter 4 of the Penal Code (1962:700) (Brottsbalken).		References to legal sources: Art. 4a of chapter 4 of the Penal Code (1962:700) (Brottsbalken).	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: Yes, but only if repeated violation of a relative. Art 4a was inserted in the Penal Code through the Act (1998:393) amending the Penal Code. The new article made it a specially aggravated offence to commit certain violent or threatening crimes against e.g. a partner or ex-partner, making no distinction between married spouses, registered partners or cohabitantes, whatever sex. Other provisions in the Penal Code concerning, e.g. murder, assault and rape are of course also applicable in intimate relationships.</p>		<p>Explanations and nuances: Yes, but only if repeated violation of a relative. Art 4a was inserted in the Penal Code through the Act (1998:393) amending the Penal Code. The new article made it a specially aggravated offence to commit certain violent or threatening crimes against e.g. a partner or ex-partner, making no distinction between married spouses, registered partners or cohabitantes, whatever sex. Other provisions in the Penal Code concerning, e.g. murder, assault and rape are of course also applicable in intimate relationships.</p>		<p>Explanations and nuances: Yes, but only if repeated violation of a relative. Art 4a was inserted in the Penal Code through the Act (1998:393) amending the Penal Code. The new article made it a specially aggravated offence to commit certain violent or threatening crimes against e.g. a partner or ex-partner, making no distinction between married spouses, registered partners or cohabitantes, whatever sex. Other provisions in the Penal Code concerning, e.g. murder, assault and rape are of course also applicable in intimate relationships.</p>	

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Section: **2 - Income and Troubles**

Question: **2.08 - Criminal procedure**

In case of a criminal prosecution against one partner, can the other partner then refuse to testify against the partner who is being prosecuted?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2015 Yes 0000	2015 Yes 2009	2015 N/A 0000	2015 Yes 1995	2015 Yes 1973	2015 Yes 1988
	N/A 0000		N/A 0000	No 0000	No 0000
References to legal sources: Art. 3 of chapter 36 of the Swedish Code of Judicial Procedure (Rättegångsbalken 1942:740).		References to legal sources: Art. 3 of chapter 36 of the Swedish Code of Judicial Procedure (Rättegångsbalken 1942:740).		References to legal sources: Art. 3 of chapter 36 of the Swedish Code of Judicial Procedure (Rättegångsbalken 1942:740).	
Explanations and nuances:		Explanations and nuances:		Explanations and nuances: The 1973 amendment act (1973:240, amending the Code of Judicial Procedure) extended the right to refuse to testify also to cohabiting couples. Before that it was only applicable to those who were or had been married to each other.	