

Act on Penal Law on Narcotics (1968:64)

Swedish Code of Statutes
SFS 1968:64

Unofficial translation: Narkotikastrafflag

Promulgated 8 March 1968

1 Chapter

Section 1 Any person who unlawfully

1. transfers narcotics,
2. manufactures narcotics intended for misuse,
3. acquires narcotics for the purpose of transfer,
4. procures, processes, packages, transports, keeps or in some other similar way handles narcotics which are not intended for personal use,
5. offers narcotics for sale, keeps or conveys payment for narcotics, mediates contacts between seller and purchaser or takes any other such measure, if the procedure is designed to promote narcotics traffic, or
6. possesses, uses or otherwise handles narcotics shall, if he has acted wilfully, be sentenced for a narcotic drug offence to imprisonment for not more than three years.

Section 3 If the offence under Section 1 is judged to be grave, the sentence for a grave narcotics offence shall be imprisonment for at least two years and at most ten years.

In judging whether an offence is grave, particular consideration shall be given to whether or not it has been part of large-scale or professional activities, has involved especially large quantities of narcotics or has in any other way been of a particularly dangerous or unscrupulous nature. The judgment shall be based on a joint consideration of the circumstances in the particular case.

Act on Penalties for the Smuggling of Goods (1960:418)

On penalties

Section 1 Any person who without notifying the proper authority imports into or exports from the country goods for which customs duties or other public charges should be paid to the State or which, pursuant to the provisions in a law or statute, are not allowed to be imported or exported, shall, if the act is wilful, be sentenced for smuggling to a fine or to imprisonment for not more than two years. If the offence relates to narcotics as defined in Section 8 of the Penal Law on Narcotics (1968:64), the person shall be sentenced to imprisonment for not more than three years.

The first paragraph is also applicable when a person by means of misleading statement in a customs declaration or by any other deception in connection with customs clearance of goods wilfully avoids payment of customs duties or other public charges to the State or imports or exports goods in contravention of a prohibition. The same applies when a person by altering software or a recording or in any other way unlawfully influences the results of automatic data processing

Section 3 Should the smuggling of goods be judged to be grave, the sentence shall be imprisonment for not less than six months and not more than six years. If the offence relates to

narcotics as defined in Section 8 of the Penal Law on Narcotics (1968:64), the sentence shall be imprisonment for not less than two and not more than ten years.

In judging whether the offence is grave, particular consideration shall be given to whether it has been committed professionally or involved goods of great quantity or value or whether the action has otherwise been of a particularly dangerous nature or, if the offence relates to narcotics, whether it has been part of activities of a particularly unscrupulous nature.

Section 8 An attempt to smuggle goods is punishable in accordance with Chapter 23 of the Penal Code. The same applies to any preparation for the smuggling of narcotic drugs and any conspiracy to such smuggling of narcotic drugs which is not of a petty nature.

If several persons have collaborated in a deed punishable under the present Act, the provisions of Chapter 23 of the Penal Code are applicable. Smuggling which is of a petty nature shall be so dealt with only if the act relates to narcotic drugs.

Penal Code Chapter 23. On Attempt, Preparation, Conspiracy and Complicity

Section 1 If someone has begun to commit an offence without bringing it to completion, he shall, in cases where specific provisions therefor exist, be sentenced for attempt to commit the offence if there had been a danger that the act would lead to the completion of the offence or such danger had been precluded only because of fortuitous circumstances.

Penalties for attempt shall be at most those applying to a completed offence and not less than imprisonment if the mildest penalty for the completed offence is imprisonment for two years or more.