

# **SWEDEN**

## **The Marketing Act Marknadsföringslag (2008:486)**

### **Introductory provision**

#### **Section 1**

The purpose of this Act is to promote the interests of consumers and business in connection with the marketing of products and to prevent marketing that is unfair to consumers and traders.

### **Scope of the Act**

#### **Section 2**

The Act applies when traders market or seek to acquire products as part of their business activity. The Act also applies to television broadcasts by satellite that are governed by the Radio and Television Act (1996:844). The Act also applies when the Consumer Ombudsman fulfils his obligations as competent authority under Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws.

### ***Damages***

#### **Section 37**

A person who intentionally or negligently violates a prohibition or an order issued under Section 23, 24 or 25, or Section 7, Section 8 or any of the provisions of Sections 9, 10, 12–17, or any of the provisions of Sections 18–22 or any of the points in Annex I to Directive 2005/29/EC, shall compensate any consumer or other trader for any damage arising from this violation.

When determining compensation to a trader, account may be taken of circumstances other than of an economic nature.

#### **Section 38**

Entitlement to damages is forfeited if proceedings are not instituted within five years from the time the damage arose.