

## Annex

To facilitate the provision of information on good practices and challenges with respect to the establishment of effective financial disclosure systems for appropriate public officials (inter alia information on legislation, policies, practices and institutions on establishing and maintaining effective financial disclosure systems for appropriate public officials, including measures as may be necessary to permit their competent authorities to share that information with the competent authorities in other States parties) the Secretariat has prepared the following questionnaire as a guide that States parties may wish to use.

The Secretariat also wishes to draw the attention of the Government to the note entitled “Asset and interest disclosure systems (article 8, paragraph 5, of the United Nations Convention against Corruption)” contained in document [CAC/COSP/WG.4/2018/3](#) that could be used as background material for the completion of the questionnaire.

### Contact information

#### 1. Basic information

- 1.1. Does your country have a financial disclosure system(s) for appropriate public officials in line with articles 8, paragraph 5 and 52, paragraphs 5 and 6 of the Convention? **YES**

**If YES,**

- a. Please provide a broad overview of your country’s financial disclosure system(s) for public officials and list the relevant national legislation.

*Sweden has a disclosure system for ministers and other public officials who may have access to insider information, covering direct or indirect holdings of financial instruments pursuant to the Act on the Obligation for Certain Public Officials to Report Holdings of Financial Instruments and the Government Ordinance on the Obligation for Certain Public Officials to Report Holdings of Financial Instruments. Civil servants may be subject to disciplinary sanctions under the Public Employment Act for non-reporting or incorrect reporting. The rules of procedure of the government offices, the Office of the Prime Minister and ministries contain further requirements. As a general rule, reported information is confidential. Ministers have voluntarily agreed to report certain additional information, which is publicly available. The Parliament keeps a register of the commitments and financial interests of its members according to the Act on Registration of Commitments and Financial Interests of Members of the Riksdag, and the Office of the Prime Minister maintains a register of declarations for which government ministers have agreed to waive confidentiality.*

- b. If your country has, in addition, ad hoc financial disclosure requirements, please provide a broad overview, including applicable categories of officials, sectors/activities, etc.

*Not applicable.*

- c. What is the objective(s) of your country's financial disclosure system(s) (please select all that apply)?

**X** Detection of illicit enrichment (*applies to the Swedish legislation*)

- Prevention of conflicts of interest (*applies to the Swedish legislation*)
- All of the above (combined system)
- Other, please describe: *The overall purpose of the notification obligation in the Swedish legislation is to contribute to strengthening the public's trust in the authorities and public officials who are covered.*

**If NO,**

- a. Please describe (cite and summarize) the alternative measures put in place to ensure full compliance with article 8, paragraph 5 and article 52, paragraphs 5 and 6 of the Convention or is planning to take, together with the envisaged time frame, if any.

1.2. Has your country criminalized “illicit enrichment” as foreseen under article 20 of the Convention? **NO**

If **YES**, please explain.

## 2. Targeted officials

2.1. Please list the categories of officials required to file a financial disclosure. Please select all that apply and provide the range of targeted officials in each relevant category.

- Public officials, including representatives from all branches and agencies of government**
  - Members of the legislative branch, please list:
  - Members of the judiciary and prosecution, please list:
  - Members of the executive branch, including armed forces and agencies subordinate to a minister, please list:
  - Officials of independent government bodies (*e.g., standalone boards, commissions and agencies that fall outside the executive, legislative and judicial branches of government*), please list:
- Officials at the supranational (high-level) bodies (*e.g., representatives of the country in regional and global organizations/bodies*), please list:
- Officials at subnational levels of government (*e.g., officials at the level of local government, provinces and municipalities*), please list:
- Political party officials, please list:
- Representatives of publicly owned (fully and partially) enterprises, please list:
- Representatives of private entities, professional associations, foundations and similar bodies performing public functions and services of public interest, please list:
- Other, please list:

2.2. What factor(s) shaped the decision on the targeted categories of officials? Please select all that apply.

- Objective of the system**
  - Hierarchical level and position of officials
  - Corruption risk level of sectors and functions
  - Resources and capacity to manage and verify disclosure
  - Other.

2.2.1. Please elaborate on your response above.

2.3. Does any authority have the power to request any official who would usually fall outside the disclosure system to file financial disclosure (e.g., designate those in high-risk categories, those under investigation for corruption offences, etc.)? **NO**

**If YES**, please list the authority(ies), and explain the applicable criteria and procedures.

2.4. How does your country create and update the list of filers?

*The Government may decide what government agencies should fall under the scope of the disclosure requirements under the Act on the Obligation for Certain Public Officials to Report Holdings of Financial Instruments. The management of such agencies thus falls under the disclosure system and may in turn make a decision of what employees within the government agency who may have access to insider information should disclose direct or indirect holdings of financial instruments.*

2.5. Please provide the approximate number of filers.

*It is not possible to provide the requested information as it is kept within each government agency and is not collected within one body.*

### 3. Frequency of disclosure

3.1. When and how often are targeted officials required to file/submit financial disclosures? Please select all that apply.

- Upon entering office
- Upon leaving office
- Annually**
- Biennially (once every two years)
- Once every three years
- Some categories of officials are more frequently required to declare than the others
- Other, please describe. Annually and when differences in holdings occur.**

3.2. Does the competent authority have the power to request targeted officials (filers) to submit ad hoc financial disclosures between the official submission periods? **NO**

**If YES**, please explain.

3.3. Are the targeted officials required to update/amend their financial disclosures between submission periods? **YES**

**If YES**, please provide the ground for updating/amending submitted disclosures and the relevant time frame.

*Each time differences in the holdings occur, the targeted officials are required by law to disclose the changes.*

### 4. Competent authority and disclosure process

4.1. Which authority/entity is responsible for collecting and maintaining financial disclosures? Please select all that apply.

- Central competent authority

**X Entities employing the targeted officials**

- Other authorities depending on the categories/levels of officials (election Commissions, supreme courts, parliamentary committees, etc.). Please list: \_\_\_\_\_

4.2. How are the financial disclosures submitted?

- Centralized submission directly to the central competent authority via:
- Electronic (online) submission system
- Submission using the paper submission
- Delegated submission using paper submission (e.g., to individual bodies, which store them and transmit them to the competent authority)
- Delegated submission using both paper and electronic (online) submission (*paper declarations are submitted to individual bodies while the electronic copies are submitted to a centralized online system of the competent authority*)
- X Other.**

*Swedish law stipulates that the information of financial holdings must be disclosed in writing. Moreover, each government agency can form their own compliance system.*

4.2.1. Please elaborate on your response above and describe the processes and methods of submitting the disclosures.

*The report on the complete holding of financial instruments must be made as soon as the targeted official becomes informed of its disclosure obligations. The report must also be made annually by 31 January at the latest. Changes in the holding of financial instruments must be reported no later than seven days after the change was made. Targeted officials are also required to disclose if they have no financial holdings. The disclosure document is submitted to a designated body of the management of each government agency.*

4.3. If electronic submission is possible, please describe the online tools and platforms available for submitting financial disclosures.

4.4. Please describe the measures implemented to ensure compliance and appropriate quality of information when completing and submitting the financial disclosure (e.g., disseminating information materials, training, awareness raising, etc.).

*Swedish law stipulates that the information of financial holdings must be disclosed in writing. Moreover, each government agency can form their own compliance system.*

## 5. Scope of disclosures

5.1. Please list the assets and interests included in the financial disclosure forms, including categories of assets and other financial interests. Please also refer to the list below.

- Immovable and movable assets
- their value and source
- those (assets) held in the name of others
- Income
- their source
- X Securities i.e. direct and indirect holdings of financial instruments**
- Investments

- Savings
- Bank accounts
  - Any other business relationships with financial institutions
- Liabilities / loans / mortgage
- Cash
- Gifts
- Livestock
- Ownership interests (shareholdings) in companies and other legal entities and arrangements**
- Business / outside activities (*business interests and financial connections*)
- License(s) (*to carry out commercial activities*)
- Usufruct rights (to use and benefit from an asset owned by others)
- Information on all legal persons linked to the official in any way, individual economic activity, membership and position in undertakings, establishments, associations or foundations

5.2. Is the requirement to disclose an asset dependent on its value (*e.g., assets below a certain threshold do not need to be declared*)? Please explain.

5.3. Does the information mentioned in question 5.1 include assets and relevant financial interests located both in and outside the country? **YES, it includes financial instruments traded or offered to the public outside of Sweden.**

5.3.1. **If YES**, does it require the disclosure of an interest in or a signature or other authority over a financial account in a foreign country (please see article 52, paragraph 6, of the Convention)?

*No*

5.4. Does your country's financial disclosure system include a declaration of beneficial ownership (of legal entities and arrangements, including nominee arrangements and trusts)?<sup>1</sup> **YES**

Please explain.

*The disclosure requirement includes all direct and indirect holdings of financial instruments in a legal person over which the targeted official has a controlling influence.*

5.4.1. Are the targeted officials required to declare assets and interests held, managed or controlled through such legal entities and arrangements? **YES, see answer to question 5.4.**

**If YES**, please explain.

5.5. Are targeted officials also required to submit information for their family members? **YES**

**If YES**,

a. Please describe the scope of the family members (spouse(s), registered/non-registered partner(s), children (minor, financially dependent, within the same household, age limits, etc.)). **Minor children.**

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<sup>1</sup> On beneficial ownership, please refer to the conference room paper prepared by the secretariat entitled "Good practices and challenges with respect to beneficial ownership and how it can foster and enhance the effective recovery and return of proceeds of crime" ([CAC/COSP/WG.2/2022/CRP.1](#)).

b. Please describe the type of information that must be submitted for family members. Is it the same as of the public official? *Same information as for the public official.*

5.6. Does the financial disclosure system cover individuals other than the family members of the filers? **NO**

If **YES**, please list the applicable individuals and the type of information that needs to be submitted.

5.7. For subsequent regular financial disclosures, what is the extent of information included in such financial disclosures?

- Information required in the disclosure includes only changes in the equity of the filer since the last disclosure
- A complete new disclosure (i.e., a net worth statement)**
- Other, please describe: \_\_\_\_\_

5.8. Does your country's financial disclosure regime require declaring expenditures? **NO**

If **YES**, please provide an overview of the relevant features.

## **6. Access to disclosed information**

6.1. Is the information on financial disclosure publicly available? **NO**

### **If YES OR YES IN PART**

- a. Please describe the measures in place to ensure public access to financial disclosure information (*e.g., proactive publication on a central online platform and/or on relevant authorities' websites, ad hoc disclosure in a paper form upon request, etc.*)
- b. If not all disclosures are publicly available, please list the categories of targeted officials whose disclosures are accessible and/or remain confidential.
- c. If only part of the financial disclosure information is available, please list the type of information that is publicly available.
- d. Does accessing financial disclosure information entail any costs?
- e. Does the publication of financial disclosure provide features to search information by different types of information, e.g., legally and beneficially held entities' names and business addresses, types of assets and interests? Please explain.
- f. Do the means of enabling public access allow for a comparison of the targeted officials' assets and interests over a specific period?
- g. Are any measures in place to protect the personal information of the targeted officials and their family members, when applicable? Please explain.
- h. Please provide the link(s) to the online platform/resource where financial disclosure information is available to the public, if applicable.

*Not applicable.*

6.2. Do the relevant competent national authorities (law enforcement, FIU, tax and customs authorities, etc.) have access to the financial disclosures? **NO**

**If YES or YES IN PART**, please explain how such access is granted, including the list of competent national authorities that can access or request access.

## 7. Verification of financial disclosure information

7.1. Is the information disclosed verified? **NO**

**If YES**, please describe the procedures and practices in place to verify the content of financial disclosures, including:

- a. Competent authority that conducts the verification (centralized and/or delegated)
- b. Frequency (regularity) of verifications (ad hoc and/or systematic and routine)
- c. Extent of verification (verification of completeness, compliance with disclosure requirements and/or the analysis of the content of the disclosures)
- d. Verification processes and methodologies (e.g., manual examination, electronic checks undertaken against other databases or relevant information, etc.)

7.2. How does your country determine which disclosures to verify?

- Annual verification plan(s)
- Periodic mandatory verification of specific categories of officials
- Random sampling of declarations
- Media reports and/or complaints from the public
- Requests from law enforcement / investigative units
- Other, please describe: \_\_\_\_\_

7.3. If applicable, does the electronic financial disclosure mechanism(s) allow for automated verification (cross-checking) of information across various registers and databases held by the public and private entities, such as registries of various assets, company registers, HR, tax and real estate data, etc.? **NO**

**If YES**, please explain.

7.4. Do the competent authorities have timely and direct access to databases and information necessary to verify information in the financial disclosure? **YES/NO**

Please explain.

*Not applicable.*

7.5. Do competent authorities have access to the information held by financial institutions, including bank account records? **NO**

Please explain.

7.6. Please provide the overall verification rate of financial disclosures in percentages for each applicable verification method.

*Not applicable.*

## 8. Sanctions

- 8.1. Please provide an overview of sanctions for non-compliance with financial disclosure requirements, including the sanctionable conducts, type of sanctions, forms of sanctions (administrative/criminal) and targeted officials.

*Civil servants may be subject to disciplinary sanctions under the Public Employment Act for non-reporting or incorrect reporting. The sanctions are either warning or salary deduction of maximum 30 days. The salary deduction per day may amount to a maximum of 25 percent of the daily salary.*

- 8.2. Is there any applicable statute of limitations? **YES**

Please explain.

*The report on the complete holding of financial instruments must be made as soon as the targeted official becomes informed of its disclosure obligations. The report must also be made annually by 31 January at the latest. Changes in the holding of financial instruments must be reported no later than seven days after the change was made.*

- 8.3. Please describe the powers available to the competent authority (responsible for verification of disclosures) to impose and enforce the sanctions described above.

*Civil servants may be subject to disciplinary sanctions under the Public Employment Act for non-reporting or incorrect reporting. The sanctions are either warning or salary deduction of maximum 30 days. The salary deduction per day may amount to a maximum of 25 percent of the daily salary.*

## **9. International cooperation and asset recovery**

- 9.1. Does your country (proactively or at the request of another State party) share financial disclosure information with foreign States? **NO, not under the Act on the Obligation for Certain Public Officials.**

**If YES**, please describe the channels and mechanisms for cooperation.

- 9.2. Does your country cooperate and execute requests received from foreign authorities to assist them in the verification of information in their financial disclosures? **NO, not under the Act on the Obligation for Certain Public Officials.**

**If YES**, please explain, including the channels used.

- 9.3. If applicable, please provide the contact details of the authority responsible for the above types of international cooperation (for exchanging financial disclosure information).

## **10. Good practices**

- 10.1. Please provide examples of any good practices in connection with your country's financial disclosure regime that facilitated the recovery and return of proceeds of crime.

*Not applicable.*

- 10.2. Do you have any case studies or examples where the financial disclosure regime has enabled or facilitated the recovery and return of proceeds of crime in (or for) your country?

*Not applicable.*



10.3. Please provide examples of good practices concerning the operation of your country's financial disclosure system, including policies and measures adopted to enhance compliance with financial disclosure requirements.

*Not applicable.*

## **11. Challenges**

11.1. What were the main challenges faced by your country when introducing the financial disclosure system(s)?

11.2. In your opinion, what are the main challenges faced by competent authorities of your country to verify financial disclosures, including accessing information regarding assets and financial interests located abroad?

*Not applicable.*

11.3. What are the main challenges faced by your country when imposing and enforcing sanctions for non-compliance?

## **12. Follow-up to the special session of the general assembly against corruption**

12.1. Please describe any other measures, if any, that your country may have taken to implement paragraph 7<sup>2</sup> of the political declaration adopted by the General Assembly at its special session against corruption held in June 2021.

## **13. Other**

13.1. Please provide any other information you consider relevant to your country's legal framework and practices in connection with establishing an effective financial disclosure system that is not highlighted in the questions above.

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<sup>2</sup> 7. We will strengthen our efforts to prevent, identify and manage conflicts of interest, including by assessing and mitigating corruption risks and through effective and transparent financial disclosure systems, with information disclosed by appropriate public officials made available as widely as possible, and we will use innovative and digital technology in this field, with due regard for data protection and privacy rights.