

The Labour Disputes (Judicial Procedure) Act (1974:371)

Amendments: up to and including SFS 2010:230

Chapter 1 Scope of the Act

Section 1 This Act applies to judicial procedure to be followed in disputes concerning collective bargaining agreements and other disputes relating to the relationship between employers and employees (labour disputes).

Any other dispute between the same or different parties may be consolidated with a labour dispute, provided the court considers it appropriate to so do having regard to the material presented and other circumstances. Where there is cause, the court may sever the cases again.

Section 2 This act shall not apply to:

1. cases which, according to law, may only be dealt with by a specific district court or by a district court constituted otherwise than under the Code of Judicial Procedure;
2. cases which shall be dealt with by a district court applying the Bankruptcy Act (1987:672) or the Company Restructuring Act (1996:764);
3. cases concerning damages for criminal injuries, where the action is brought in conjunction with the prosecution of the offence;
4. cases concerning compensation for industrial injuries, where the dispute does not relate to the proper interpretation of a collective bargaining agreement.

This Act shall not apply to cases relating to employees as referred to in Section 1 of the Public Employment Act (1994:260), where the dispute relates to:

1. a matter relating to the employment of an employee, which is not solely a dispute as to a collective bargaining agreement;
2. the obligation of permanent judges to perform duties under the Government Appointees Act (1994:261).

Nor shall this Act apply to other cases concerning public sector employees, where the dispute concerns a matter which is governed by statute or other enactment and where the same enactment provides that a decision in the matter may be appealed against to the Government, an administrative court or an administrative authority. (SFS 1996:1055)

Section 3

Disputes to be dealt with under this Act may by agreement be referred for determination by an arbitrator instead. However, this shall not apply to cases referred to in Section 31, first or third paragraph, of the Employment (Co-determination in the Workplace) Act (1976:580). Nor shall any agreement that was concluded prior to the dispute whereby any dispute

should be determined by an arbitrator without reservation of the right of the parties to challenge the arbitral award be applied in disputes concerning the right of association or in disputes under

- the Prohibition of Discrimination of Employees Working Part Time and Employees with Fixed-term Employment Act (2002:293); or
- the Discrimination Act (2008:567).

(SFS 2008:574)

The Government prescribes that points 2, 3, 14, 19 and 22 of the Ordinance (2007:636) concerning the entry into force of the Act (2005:683) amending the Swedish Code of Judicial Procedure and certain consequent legislation shall be repealed.

Chapter 2 Courts in labour disputes

Section 1

The Labour Court shall, as a court of first instance, take up and determine any dispute where the action is brought by an employers' or employees' organisation, or by an employer who has concluded its own collective agreement, where the case involves:

1. a dispute relating to a collective agreement or any other labour dispute referred to in the Employment (Co-determination in the Workplace) Act (1976:580);
2. any other labour dispute, provided that a collective agreement is in force between the parties or that an individual employee who is affected by the dispute is employed for work covered by a collective agreement that is binding on the employer.

The Labour Court is the competent court under the first paragraph even when a collective agreement is temporarily suspended.

Any other labour dispute between the same or other parties may be consolidated with a labour dispute under the first or second paragraph, if the Court considers such processing appropriate having regard to the material presented and other circumstances. The Court may separate the cases again if there are grounds to do so.

The Labour Court is always competent as a court of first instance to take up and determine disputes concerning industrial action referred to in Sections 41, 41b and 41c of the Employment (Co-determination in the Workplace) Act (1976:580). (SFS 2010:230)

Section 2 Labour disputes other than those referred to in Section 1 shall be dealt with and determined by a district court.

Actions referred to in Section 1 which are brought by an employer who has himself concluded a collective bargaining agreement, or by an employers' or employees' organisation on its own behalf, may be brought at a district court instead of the Labour

Court. Where the defendant is an organisation, or where the dispute would have been commenced against an organisation under Chapter 4, Section 5, second paragraph, if the dispute had been commenced before the Labour Court, the foregoing shall apply only in accordance with such agreement as referred to in Chapter 10, Section 16 of the Code of Judicial Procedure.

In a labour dispute under the first or second paragraph of this Section, the employer may be proceeded against at the court in the district in which the employee is resident. (SFS 1977:530)

Section 3 The Labour Court shall be the superior court in appeals against cases dealt with by a district court under Section 2.

The Labour Disputes (Restriction of Social Benefits) Act (1969:93) provides that in certain cases a decision issued by a public authority other than a district court may be appealed against to the Labour Court.

The Labour Court shall examine appeals concerning grave procedural errors in matters determined by district courts in cases referred to in Section 2, and in matters determined by other public authorities referred to in the second paragraph. Issues concerning relief for substantive defects and restoration of expired time shall be determined by the Supreme Court. (SFS 1994:1043)

Section 4 No action may be brought against a judgment or decision of the Labour Court.

Section 5 Where proceedings have been instituted at a district court by a member of an employers' or employees' organisation, and the organisation is entitled to bring such an action at the Labour Court under Section 1 of this Chapter and Chapter 4, Section 5, the organisation shall be afforded the opportunity of stating whether it wishes to bring such an action at the Labour Court. The foregoing shall also apply where a dispute relating to a collective bargaining agreement is commenced at a district court by a person who has been a member of the employers' or employees' organisation that concluded the agreement. Should the organisation in that connection declare that it wishes to bring the action at the Labour Court, the case shall be transferred thereto.

In cases other than those referred to in the first paragraph of this Section, where cases which shall be dealt with and determined by the Labour Court, are brought at a district court, such cases shall be transferred to the Labour Court if so requested by either of the parties. Where the case has been determined by a district court and an appeal has been made to the Labour Court, the latter shall, if so requested by either of the parties, consider the case as if the proceedings had been instituted therein.

In cases referred to in the first or second paragraph of this Section, proceedings shall be deemed to have been instituted at the Labour Court on the date on which the application for summons was received by the district court. (SFS 1977:530)

Section 6 Where proceedings have been instituted at the Labour Court by a member of an employers' or employees' organisation or, in the case of a dispute relating to a collective bargaining agreement, by a person who has been a member of the organisation that concluded such agreement, and where the organisation does not declare that it wishes to bring the action under Section 1 of this Chapter and Chapter 4, Section 5, the case shall be referred to the competent district court if so requested by either of the parties. The foregoing shall also apply in any other case in which the Labour Court determines that it is not competent under Section 1 to consider the proceedings which have been instituted before it.

Where the Labour Court declares in a decision that a particular district court is not competent to deal with a case that has been brought before that court, the Labour Court shall, upon the request of either of the parties, refer the case to another district court that is competent.

Where different courts have been found not to be competent by decisions which have entered into final legal force, the Labour Court shall if it considers any of them is competent, if so requested by either of the parties, remit the case to the district court that should have dealt with the case. Such request shall be submitted within one month from the day on which the last decision to be taken entered into final legal force.

The provisions of this Section shall not apply where the lack of competence of a court is due to the fact that the case should not be dealt with in accordance with the provisions of this Act. (SFS 1977:530)

Section 7 Where a Court of Appeal or the Supreme Court considers that an appeal should rightly have been appealed to the Labour Court, it shall remit the case to the Labour Court.

Where the Labour Court considers that an appeal should rightly have been appealed to a Court of Appeal, it shall remit the case to the appropriate Court of Appeal. (SFS 1977:530)

Section 8 No action may be brought against a decision to remit a case to the Labour Court. Where a case has been remitted by any court other than the Supreme Court, the Labour Court shall, should it consider that it is not competent, remit the case to the court from which it was transferred. (SFS 1977:530)

Chapter 3 Composition of the Labour Court, etc.

Section 1

The Labour Court consists of no more than four chairpersons, no more than four vice chairpersons and seventeen other members. One of the chairpersons shall be president of the Court.

Members shall be Swedish citizens and may not be minors or undischarged bankrupts or have an administrator appointed for them by a court under Chapter 11, Section 7 of the Children and Parents Code. Before a member begins service in the Labour Court he or she shall have given a judicial oath.

For members other than chairpersons there shall be no more than three alternate members. The provisions of this Act concerning members also apply to alternates, unless otherwise stated.

The Act on the Appointment of Permanent Judges (2010:1390) contains provisions concerning the appointment of presiding chairpersons and other chairpersons of the Court. Other members and alternates are appointed by the Government for three years.(SFS 2010:1448)

Section 2 The chairperson, vice-chairperson and three other members shall be appointed from amongst persons who cannot be regarded as representing the interests of either employers or employees.

The Chairperson and vice-Chairperson shall have legal qualifications and judicial experience.

The other three members shall have specialised knowledge of conditions on the labour market. (SFS 1977:530)

Section 3 The other fourteen members shall be appointed as follows:

four on the recommendation of the Swedish Employers' Confederation;
two on the recommendation of the Swedish Association of Local Authorities and Regions
one on the recommendation of the Swedish Agency for Government Employers;
four on the recommendation of the Swedish Trade Union Confederation;
two on the recommendation of the Confederation of Professional Employees; and
one on the recommendation of the Swedish Confederation of Professional Associations.

The rules with regard to members in the first paragraph of this Section shall apply, mutatis mutandis, with regard to the substitutes for such members.

Recommendations for the appointment of members and their substitutes shall include at least twice as many persons as the number to be appointed in consequence of the recommendation. Where no such recommendation has been made, the Government shall appoint members and substitutes up to the prescribed number. (SFS 2007:646)

Section 4 (Repealed on 1 January 2008) Where a chairperson is prevented from serving, a vice-chairperson may replace him. However, a substitute vice-chairperson may replace a chairperson only in the event of processing referred to in Section 7.

Where a member other than a chairperson is prevented from serving in the court in a particular case, he shall be replaced by a member or substitute appointed in the same manner. For this purpose, members appointed on the recommendation of the Swedish Association of Local Authorities, the Federation of Swedish County Councils and the Swedish Agency for Government Employers shall be regarded as having been appointed in the same manner.

Where a member or substitute cannot be summoned under the second paragraph of this Section, the chairperson in the case may call upon some other suitable person to act as a temporary substitute. (SFS 2001:344)

Section 4 (Enters into force on 1 January 2008) Where a chairperson is prevented from serving, a vice-chairperson may replace him. However, a substitute vice-chairperson may replace a chairperson only in the event of processing referred to in Section 7.

Where a member other than a chairperson is prevented from serving in the court in a particular case, he shall be replaced by a member or substitute appointed in the same manner. For this purpose, members appointed on the recommendation of the Swedish Association of Local Authorities and Regions and the Swedish Agency for Government Employers shall be regarded as having been appointed in the same manner.

Where a member or substitute cannot be summoned under the second paragraph of this Section, the chairperson in the case may call upon some other suitable person to act as a temporary substitute. (SFS 2007:646)

Section 5 A member shall be entitled to be released from office if special circumstances give cause to do so. Resignations shall be considered by the Government. In the event of the resignation of a member, the Government shall appoint another person for the remainder of the term of office for which such member was appointed. In that connection, the provisions of Section 2 and 3 shall apply *mutatis mutandis*.

A member who resigns is obliged to participate in any further processing of a case in which he has previously participated. (SFS 1974:1092)

Section 6

The Labour Court constitutes a quorum when a chairperson and no more than six and no fewer than four other members are present. No more than three and no fewer than one of the members referred to in Section 2 shall participate. No more than four and no fewer than

two of the members referred to in Section 3 shall participate, with the number representing the employers being equal to the number of the employees.

The Labour Court also constitutes a quorum when a chairperson and one member each for the employers' side and the employees' side are present at:

1. the main hearing in cases that lack precedential significance and are also of a simple nature in other respects;
2. the determination of cases without a main hearing;
3. the examination of issues concerning leave to appeal; and
4. other proceedings that do not take place at a main hearing.

Furthermore, the Labour Court constitutes a quorum when three legally qualified judges are present at:

1. the examination of issues concerning leave to appeal; and
2. proceedings referred to in the second paragraph, point 2 or 4, if the examination relates to a significant extent to matters other than labour law issues.

If a member present at proceedings under the second or third paragraph desires that a case be determined or a specific issue examined by the Court with the composition prescribed in the first paragraph, that member's opinion shall apply. (SFS 2008:302)

Section 6a In cases where a claim is wholly or partially based on a circumstance referred to in the Discrimination Act (2008:567), the provisions in the second to fourth paragraphs apply instead of Section 6.

The Labour Court constitutes a quorum when a chairperson and four other members are present. Three of the members referred to in Section 2 shall participate. One of the members referred to in Section 3 each for the employers' side and the employees' side shall participate. However, the Court may be composed of a chairperson and six other members under Section 6, first paragraph if the parties to the case so request.

Furthermore, the Labour Court constitutes a quorum when three legally qualified judges are present at:

1. the examination of issues concerning leave to appeal; and
2. proceedings referred to in Section 6, second paragraph, point 2 or 4, if the examination relates to a significant extent to matters other than labour law issues.

If a member present at proceedings under the third paragraph desires that a case be determined or a specific issue examined by the Court with the composition prescribed in the second paragraph, with one chairperson and four other members, that member's opinion shall apply. (SFS 2008:932)

Section 7 A chairperson acting alone may take preliminary measures on behalf of the

Labour Court and may also:

1. issue a decision that the matter is written off;
2. consider an application for provisional attachment;
3. issue a decision that the case is dismissed, if it is obvious that there is a procedural impediment;
4. reject the adducement of evidence under Chapter 35, Section 7 of the Code of Judicial Procedure;
5. reject any new circumstance or new evidence under Chapter 50, Section 25, third paragraph, of the Code of Judicial Procedure;
6. remit a case to a competent district court under Chapter 2, Section 6, first paragraph;
7. issue default judgment;
8. give judgment in respect of a claim that has been conceded or withdrawn;
9. confirm a settlement;
10. confirm a default fine that has previously been prescribed for a party or any other person by a court. (SFS 1992:124)

Section 8 A chairperson may delegate responsibility for preliminary measures and such processing referred to in Section 7, first paragraph, to another legally qualified official of the Court appointed for such purpose by the court.

In addition to the foregoing, processing referred to in Section 7, items 6 to 10, may be delegated by a chairperson to another legally qualified official of the Court possessing sufficient experience to be appointed for such purpose by the court. (SFS 1992:124)

Section 9 Where, during deliberations in respect of any judgment or decision, the Labour Court finds that the prevailing opinion deviates from any fundamental legal principle or interpretation previously adopted by it, the Court may, if constituted in the manner prescribed in Section 6, first paragraph, order the case or any particular legal question that has arisen in the case to be determined by a plenary session of the Court.

Where a case or any particular question that has arisen in a case is determined by the Labour Court in plenary session, all the members of the court or their substitutes shall participate in the determination.

Determinations referred to in the second paragraph of this Section may be made otherwise than during the main hearing. (SFS 1992:124)

Section 10 Detailed provisions as to the organisation and activities of the Labour Court shall be issued by the Government. (SFS 1974:1092)

Chapter 4 Procedure in the Labour Court

General provisions

Section 1 The Labour Court shall convene in the locality where the court is situated. Sessions may also be held in another locality, if so required for special reasons. Sessions shall be held as often as is required for the work of the Court.

Section 2 Voting on a judgment or decision shall take place in the manner decided by the Labour Court.

Section 3 A judgment shall be issued as soon as possible. It shall be signed by those who participated in the determination. Copies of the judgment shall be sent to the parties on the same day as the judgment is issued.

The provisions of the first paragraph in respect of judgments shall also apply to final decisions. (SFS 1992:124)

Section 4

Evidentiary statements given under examination in the main hearing need not be documented. (SFS 2008:302)

Procedure in the Labour Court as court of first instance

Section 5 In any dispute relating to a collective bargaining agreement, the organisation by which the agreement was concluded may institute and conduct proceedings before the Labour Court on behalf of any person who is or has been a member of such organisation. In any other labour dispute referred to in Chapter 2, Section 1, an employers' or employees' organisation referred to in Section 6 of the Employment (Co-determination in the Workplace) Act (1976:580) may institute and conduct proceedings before the Labour Court on behalf of any of its members. The provisions applicable to the parties in respect of disqualification, personal appearance, hearings under truth affirmation and other matters of an evidentiary nature shall also apply to any person on whose behalf an organisation brings an action.

Where any person wishes to bring an action in the Labour Court against a member or former member of an organisation referred to in the first paragraph of this Section, he shall, in such cases as referred to therein, also bring the action against the organisation. The organisation may thereupon appear on behalf of the co-defendant if the latter does not conduct his own action.

The provisions of this Section as to organisations shall also apply to federations of two or more such organisations. In such context, the term 'member' means both the federated organisations and their members. (SFS 1977:530)

Section 6 An action, other than an application for a prohibitory or mandatory injunction against the other party, shall be dismissed if it is not of substantial importance for the

plaintiff, or where consideration of the action is not of substantial importance for the person on whose behalf the organisation brought the action. (SFS 1976:581)

Section 7 An action may not be considered by the Labour Court before such negotiations in respect of the issue in dispute as may be requested under the Employment (Co-determination in the Workplace) Act (1976:580) or as are provided for in a collective bargaining agreement, have taken place.

The provisions of the first paragraph shall not apply to actions under Section 31, first or third paragraph, of the Employment (Co-determination in the Workplace) Act (1976:580), nor to any dispute as to whether an industrial action has been taken in breach of a statute or collective bargaining agreement, nor to any dispute concerning the sanctions for such action. However, in cases referred to in Section 43 of the Employment (Co-determination in the Workplace) Act (1976:580) where the duty of the deliberation has not been discharged, the Labour Court may not consider the dispute before this is done.

Notwithstanding the provisions of the first and second paragraphs, an action may be considered as regards an interim order pending a judgment or decision in the case entering into final legal force. Following such examination, a stay of proceedings shall be ordered pending the completion of negotiations or deliberations concerning the issue in dispute, under the first or second paragraph. The case may not be finally determined until such negotiations or deliberations have been concluded.

Where negotiations or deliberations as referred to in the first or second paragraph have not taken place, the claim may nevertheless be considered by the court if there is some impediment to such negotiations or deliberations which is not attributable to the plaintiff. (SFS 1992:441)

Section 8 Any person wishing to institute proceedings before the Labour Court shall make an application in writing to the Court for a summons against the other party.

In the absence of any reason to dismiss the application, the court shall issue a summons against the defendant to answer the claim. The defendant may be ordered to present his answer in writing in accordance with Chapter 42, Section 7 of the Code of Judicial Procedure, on pain of a default judgment may otherwise be entered against him. (SFS 1992:124)

Section 9 Once the summons has been issued, the preliminary preparation of the case shall take place.

Where both of the parties, or one of them, fail to attend the hearing for the oral preparation of the case, or where the defendant fails to comply with an order to submit a written answer in the case on pain of default judgment may otherwise be entered against him, the provisions of Chapter 44, Sections 1, 2 and 7 of the Code of Judicial Procedure shall apply. Where the court finds, taking into consideration the nature of the dispute or other

circumstances in the case, that a request for a default judgment should not be granted, the court shall instead, if the other party so requests therefor, adopt measures for the continuation of the preparation, if such may be deemed of benefit for the case, or list the case for a main hearing. Where no such request is presented by the party, the case shall be written off.

Where, at the time of the written preparation of the case, the defendant has failed to submit an answer, and where no order to do so has been notified to him as referred to in the second paragraph, the case shall be listed for the main hearing, if there is no reason to assume that any further preparation will be of benefit for the investigation of the case. (SFS 1992:124)

Section 10 The Labour Court shall determine the case as soon as possible after the conclusion of the preparation.

A case shall be determined after the main hearing. The court may, however, without holding a main hearing, write off or dismiss a case, issue default judgment, and give judgment in respect of an application that is consented to or withdrawn, and also confirm a settlement.

The court may also, in cases other than those referred to in the second paragraph, take up a case for determination without a main hearing if so requested by a party and the court finds it appropriate to do so, having regard to the nature of the dispute and any other circumstances. However, no case may be determined in such a manner against the wishes of a party. (SFS 1992:124)

Section 11 A party and his representative shall be summoned to appear in person at the main hearing if their presence is required for the investigation of the case. Where personal attendance is required, the Labour Court may make an order to a default fine for non-attendance.

Where both of the parties, or one of them, fail to attend a session for a main hearing, the provisions of Chapter 44, Sections 1 and 2, first paragraph of the Code of Judicial Procedure shall apply. Where the Court finds, having regard to the nature of the dispute or any other circumstances in the case, that it should not grant a request for a default judgment, it shall instead, if so requested by the party present, hear and determine the case. Where no such request is presented, the case shall be dismissed.

A summons to attend the main hearing shall include a reminder that the case may be heard and determined notwithstanding the absence of one of the parties, if so requested by the other party. A reminder that the case may be determined by default judgment shall be included in the summons if the Court considers that such is a possible consequence of the absence of the party.

Where the main hearing has commenced but is adjourned, the hearing of the case shall be resumed as soon as possible. In the event of any such adjournment, it shall not be necessary to hold a new main hearing. (SFS 1977:530)

Procedure before the Labour Court as an appeal court

Section 12 (Repealed on 1 November 2008) A judgment or decision by a district court may be appealed against to the Labour Court under the provisions of Chapter 49 of the Code of Judicial Procedure. Appeals shall be made within the time stated in Chapter 50, Sections 1 and 2, or Chapter 52, Section 1 of the Code of Judicial Procedure. (SFS 1994:1043)

Section 12 (Enters into force on 1 November 2008) A judgment or decision by a district court may be appealed against to the Labour Court under the provisions of Chapter 49 of the Code of Judicial Procedure. Appeals shall be made within the time stated in Chapter 50, Sections 1 and 2, or Chapter 52, Section 1 of the Code of Judicial Procedure.

Leave to appeal is only required if the case is being dealt with by a legally qualified judge in accordance with Chapter 2, Section 3 d, first paragraph of the Code on

Judicial Procedure and in other cases where the value referred to in HHChapter 1, Section 3 d, third paragraph obviously does not exceed the price base amount under the National Insurance Act (H1962:381H).

Leave to appeal under the second paragraph is however not required if the appeal relates to

1. a decision relating to someone other than a party or an intervenor,
2. a decision through which the district court rejected the disqualification of a judge, or
3. a decision through which a formal notice of intention to appeal or an application for reopening or an appeal has been dismissed. (SFS 2005:696)

Section 13

The appeal shall contain the following information:

1. the decision being appealed against;
2. the change in the decision requested;
3. the grounds for the appeal;
4. the circumstances cited in support of the granting of leave to appeal;
5. the evidence cited; and
6. what each piece of evidence is intended to prove.

Written evidence that has not been presented previously shall be submitted at the same time as the appeal.

In the event of an appeal against a judgment of a district court, the appellant shall state in the appeal document whether he or she desires a new examination of a witness, expert witness, or party to the proceedings, or a new inspection. (SFS 2008:302)

Section 14 Where the district court has rejected a request for an interim order pending a judgment or decision entering into final legal force, the Labour Court may immediately make such an order until otherwise ordered. Where the district court has granted a request as aforesaid, the Labour Court may immediately rule that the order of the district court shall no longer apply. (SFS 1992:124)

Section 15 The Labour Court shall determine the case as soon as possible after the preparation of the case is concluded.

Where the appeal relates to a judgment of a district court, the case may be determined without a main hearing, if no oral evidence is to be given and there are no other special reasons for the holding of main hearing.

Where the appeal relates to a decision, the case shall be determined without a main hearing. (SFS 1994:1043)

Section 16 A party and a representative for the party shall be summoned to appear in person at the main hearing, if his presence is required for the investigation of the case. Where his personal attendance is required, the Labour Court may make an order for a default judgment fine for non-attendance.

If the appellant fails to attend a session for a main hearing, the appeal shall lapse. A reminder to this effect shall be included in the summons to the session. Where the appeal has lapsed, the appellant may apply to the Labour Court for the reinstatement of the case, under Chapter 50, Section 22 of the Code of Judicial Procedure.

Where the respondent fails to attend, the case may continue and be determined notwithstanding his absence, if his attendance is of no importance for the processing or investigation of the case. Information about this shall be included in the summons to the session.

A main hearing which is adjourned after its commencement shall be resumed as soon as possible. A new main hearing need not be held as a consequence of such adjournment. (SFS 1994:1043)

Chapter 5 Other provisions

Section 1 The provisions of Chapter 4, Section 7, shall apply, mutatis mutandis, to a labour dispute that is commenced before a district court under the provisions of Chapter 2, Section 2.

Where a collective bargaining agreement concluded by parties other than the parties to the case is of importance for the consideration of the dispute in the case, the parties who have concluded such a collective bargaining agreement shall be afforded an opportunity to present their views in the case. (SFS 1977:530)

Section 2 In cases processed under this Act, each of the parties may be ordered to pay its own litigation costs if the losing party had reasonable cause to have the dispute tried.

Costs incurred in connection with such negotiations or discussions referred to in Chapter 4, Section 7 and based on the Employment (Co-determination in the Workplace) Act (1976:580), or by virtue of any collective bargaining agreement, shall not be recoverable as litigation costs.

The liability of several associated parties to bear litigation costs in a case heard by the Labour Court as a court of first instance shall be apportioned among them in a reasonable manner, having regard to their position in relation to the subject matter of the case and to the judicial proceedings. (SFS 1982:88)

Section 3 All matters for which no special provision is made in this Act shall be subject to the relevant provisions of the Code of Judicial Procedure or other enactment governing the judicial procedure to be followed in disputes where settlements are permitted. For this purpose, the provisions governing judicial procedure in the district courts shall apply to judicial proceedings in the Labour Court as a court of first instance. The provisions governing judicial proceedings in Courts of Appeal shall apply to judicial proceedings in the Labour Court as an appeal court. Chapter 12, Section 3, second paragraph, of the Code of Judicial Procedure shall apply to the members of the Labour Court who are not legally qualified. (SFS 1991:638)

Transitional provisions

1976:581

This act enters into force on 1 January 1977.

The amendment means that the second paragraph of the transitional provisions is revoked.

If a dispute relates to a circumstance that occurred prior to the Act entering into force, Chapter 4, Section 7, first paragraph applies according to its previous wording. If deliberations referred to there have not taken place before the entry into force, that prescribed by the new Act concerning negotiation shall apply instead.

1987:438

This Act enters into force on 1 July 1987.

As regards actions against decisions that have been made before the entry into force, the former regulations apply.

1992:124

This Act enters into force, as regards Chapter 3, Section 1, as far as this relates to the number of other members, together with Sections 3 and 9 on 1 July 1992, and otherwise on 1 April 1992.

1994:1043

This Act enters into force on 1 October 1994. If a judgment or decision has been made before the entry into force, the former provisions apply as regards the right to appeal and concerning what the person wishing to appeal should observe.