GERNANDT & DANIELSSON

G&D Monthly Digest

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This news overview has been compiled by Gernandt & Danielsson's specialist team and is updated month by month. Added news for this month are highlighted in beige. For this month, we have included an in-depth analysis at the end.
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Data and Tech

ARTIFICIAL INTELLIGENCE

- On 8 October 2025, the European Commission launched the Apply AI Strategy and the AI in Science Strategy with the overall aim to accelerate AI adoption in the EU. The Apply AI Strategy aims to promote AI adoption across strategic and public sectors through concrete measures, including AI-powered advanced screening centres and frontier models tailored to different sectors. Notably, the strategy mobilises approximately EUR 1 billion in funding. The AI in Science Strategy aims to position the EU as a hub for scientific innovation and centres on RAISE (Resource for AI Science in Europe), which is a virtual European institute coordinating AI resources. The Commission also launched the AI Act Service Desk and Single Information Platform to support the implementation of Regulation (EU) 2024/1689 (the AI Act) (Sw. *AI-förordningen*).

- On 6 October 2025, governmental inquiry SOU 2025:101 (Sw. *"Anpassningar till AI-förordningen"*) was published. The inquiry proposes Swedish legislation to supplement the AI Act. The Swedish Post and Telecom Authority (Sw. *Post- och telestyrelsen, PTS*) is proposed to assume primary responsibility for market control under the AI Act with certain supervision shared with other sector-specific authorities such as the Swedish Financial Supervisory Authority (Sw. *Finansinspektionen*). The inquiry rejects legislating criminal liability for violations, which is possible under the AI Act. Sanctions are proposed to be decided (in most cases) by enforcement authorities unilaterally with the possibility to appeal to the administrative courts. Notably, public authorities also may be subject to sanctions. The inquiry further proposes measures to promote innovation, including regulatory sandboxes for AI to be established by the Post and Telecom Authority. The legislation is proposed to enter into force on 2 August 2026.

- On 16 September 2025, the European Commission launched a Call for Evidence regarding the simplification of legislation for the upcoming Digital Omnibus. The Digital Omnibus will target simplification in five key areas with one of them being a smooth application of AI rules. The general objective includes the reduction of administrative compliance costs for businesses without compromising underlying regulatory objectives. More specific goals include reducing data-related compliance costs and ensuring a predictable application of the AI Act with the aim of supporting a competitive AI industry in the EU. The Call for Evidence remains open until 14 October 2025.

PRIVACY

- On 16 October 2025, the European Data Protetion Board (EDPB) adopted Opinions 26/2025 and 27/2025 regarding the European Commission's draft implementing decisions to extend the UK adquacy decisions under Regulation (EU) 2016/679 (the GDPR) (Sw. *dataskyddsförordningen*) and Directive (EU) 2016/680 (the Law Enforcement Directive) until 27 December 2031. While the EDPB welcomed the continuing alignment between the UK and EU data protection frameworks, the EDPB raised several concerns, including changes to onward transfer rules and the UK's more permissive approach to automated decisionmaking. The decision is paramount for the future flow of personal data between the EU and the UK.

- On 15 October 2025, the Administrative Court of Apeal in Stockholm (Sw. *Kammarrätten i Stockholm*) ruled in case no. 7125-24 upholding an administrative fine of SEK 12 million imposed on a telecom company for infringing the GDPR. The Swedish Authority for Privacy Protection (IMY) (Sw. *Integritetsskyddsmyndigheten*) determined, in a decision dated 30 June 2023, that the company had processed personal data in violation of Article 44 by using Google Analytics on its website and thereby transferring personal data to the USA without

fufiling the conditions in Chapter V of the GDPR. The court found that the company indeed had transferred information without sufficient safeguards. The court assessed the violations as being of lesser severity but determined that a fine of SEK 12 million was necessary to serve as an effective, proportionate and dissuasive measure.

- On 2 October 2025, IMY launched a regulatory sandbox project together with CanaryBit, Volvo Group, and Ericsson to explore privacycompliant sharing of camerabased traffic data for enhaced road safety. The project will examine whether trusted execution environment (TEE) technology, which is a form of privacy-enhancing technology (PET), can enable vehicles to collect and share traffic data containing personal information with entities such as the Swedish Transport Administration (Sw. *Trafikverket*) while still complying with the GDPR.

Employment and Incentives

- On 24 September 2025, the Swedish Labour Court (Sw. *Arbetsdomstolen*) ruled in case AD 2025 nr 68. The case was brought by a designer who created a famous glass lantern while employed at a glass works in the 1970s. The business was, through several transfers, ultimately transferred to the defendant. Despite the transfers, the court found that the defendant could not be considered the designer's former employer, as it had not been shown that the employment had been transferred. Before Sweden's EU accession in the mid-1990s, there was no general regulation governing how business transfers affected employment relationships. Instead, general contractual law principles applied which meant that employers could not transfer employment contract obligations without employee-consent and employees did not have the right to be automatically transferred to the acquirer of the business. The court dismissed the case since it had neither been alleged nor shown that the employment contract obligations towards the designer had been transferred to the defendant by agreement. It was accordingly not a labour dispute. The case highlights how labour rights legislation has changed, as an employee under current Swedish legislation has the right to automatically transfer to the company that acquires the business in which the employee is employed.

- On 25 June 2025, the Labour Court ruled in case AD 2025 nr 47 concerning the Swedish Whistleblower Protection Act (2021:890) (Sw. *visselblåsarlagen*). An employee had repeatedly reported safety concerns and argued that the reporting should be categorised as whistleblowing warranting protection under the Whistleblower Protection Act. Whistleblower protection requires reporting of misconduct (Sw. *missförhållanden*) of public interest. The Labour Court held that "reporting due to a conflict between the reporting individual and another employee at the workplace is usually not of public interest". Despite certain evidence of safety concerns, the majority of the court found that the reports stemmed from workplace conflicts rather than misconduct of public interest. The case is the first application of the Whistleblower Protection Act by the Labour Court. However, given that the public interest criterion is difficult to assess, it is unlikely to be the last.

- On 30 May 2025, the Swedish government presented memorandum Fi2025/01199 on legislative changes due to the latest EU Banking Package, which implements the final parts of the Basel 3 Agreement. The memorandum proposes, among other things, stricter suitability requirements for executives in financial institutions and a completely new law with qualifying periods (Sw. *karenstid*) for certain employees of the Swedish Financial Supervisory Authority (FI) (Sw. *Finansinspektionen*). Under this proposal, the head and board members of the authority must report any new employment within 12 months of leaving their positions. Such persons must also observe a 12-month waiting period before transferring to a supervised entity and a three-month waiting period before transferring to a stakeholder organisation (such as a lobbying group). Other persons involved in supervisory activities must report new assignments within six months and may be subject to waiting periods of up to six months if they have acquired certain sensitive information or skills. The new law is proposed to enter into force on 11 January 2026.

Environmental, Social and Governance

- On 14 October 2025, the European Securities and Markets Authority (ESMA) published the European common enforcement priorities for the 2025 annual financial reports of listed issuers admitted to trading on European regulated markets. ESMA, in collaboration with national enforcers, will in particular focus on these designated areas. This year's priorities include the sustainability statements, specifically addressing materiality considerations in reporting under the European Sustainability Reporting Standards (ESRS), as well as the scope and structure of sustainability statements.

- On 6 October 2025, the European Commission published a letter addressed to the three European Supervisory Authorities and the EU Anti-Money Laundering Authority, informing that it will de-prioritise certain "non-essential" Level 2 acts in financial services legislation, postponing their adoption until after 1 October 2027. The Commission noted that Level 1 acts adopted between 2019 and 2024 empowered it to adopt 430 Level 2 acts, which raised stakeholder concerns.

This de-prioritisation provides a pragmatic approach to rapid simplification. Sustainability-related "non-essential" acts include European Sustainability Reporting Standards under Directive (EU) 2022/2464 (the Corporate Sustainability Reporting Directive, CSRD) (Sw. *EU:s direktiv om företagens hållbarhetsrapportering*) and revised regulatory technical standards under Regulation (EU) 2019/2088 (the Sustainable Finance Disclosure Regulation, SFDR) (Sw. *disclosureförordningen*).

- On 29 September 2025, ESMA and the European Insurance and Occupational Pensions Agency (EIOPA) submitted letters to the European Financial Reporting Advisory Group (EFRAG) on the Exposure Draft for revised and simplified ESRS under the European Commission's Omnibus initiative. Both parties raised concerns while supporting simplification and burden reduction. ESMA highlighted issues regarding, among other things, the 'Materiality of information' principle, the shift from Impacts, Risks and Opportunities to sustainability topics, and reduced interoperability with International Sustainability Standards Board (ISSB) Standards. EIOPA warned that amendments could result in insufficient data for investment decisions, transfer reporting burdens to data users, and create distorted incentives leading to inconsistent risk assessments.

EU, Competition and FDI

COMPETITION

- On 20 October 2025, the main hearings in the antitrust damages case between PriceRunner and Google commenced before the Swedish Patent and Market Court (Sw. *Patent- och marknadsdomstolen*), marking the largest such court case in Swedish history. PriceRunner seeks EUR 7 billion in compensation, alleging that Google abused its dominant position by unlawfully favouring its own price comparison service over those of its competitors. The trial, expected to conclude in late December, follows the European Commission's 2017 decision to fine Google EUR 2,42 billion for the same conduct and runs parallel to several similar lawsuits against Google across Europe.

- On 16 October 2025, the Swedish Competition Authority (Sw. *Konkurrensverket*) published a report on online food ordering platforms and their contractual terms. The report found that more restaurants now use multiple platforms simultaneously, representing an increase from 2020, and that exclusivity agreements appear to have become less common. Despite this, price parity clauses remain prevalent. Many restaurants reported that their agreements contain provisions preventing them from setting lower prices on competing online platforms. An investigation into one online food platform launched in spring 2025 led to the screened company amending its terms to clarify that restaurants are not required to match or undercut competitors' prices on the platform.

- On 14 October 2025, the European Commission fined fashion houses Chloé, Gucci and Loewe a total of over EUR 157 million for engaging in resale price maintenance. This is an anticompetitive practice whereby companies restrict independent third-party retailers from setting their own prices by imposing pricing requirements. Such requirements include adherence to recommended retail prices, maximum discount rates, and specific sales periods. The investigation revealed that these restrictions, imposed by the fashion houses, applied to both online and offline sales and effectively shielding the brands' own sales channels from competition with their retailers. Gucci received the largest fine amounting to EUR 119 million, though all three fines were reduced due to the companies' cooperation with the Commission. Each fined fashion house is respectively part of one of Europe's three major luxury conglomerates.

FDI AND NATIONAL SECURITY

- On 27 October 2025, the Swedish government announced the establishment of a new civilian foreign intelligence service by 1 January 2027. The authority will provide intelligence to the government and its office on foreign affairs, working closely with the Swedish Armed Forces (Sw. *Försvarsmakten*), the Defence Radio Establishment (Sw. *Försvarets radioanstalt, FRA*), the Security Service (Sw. *Säkerhetspolisen*), and other relevant defence authorities. The decision addresses heightened security threats, a complex threat landscape, rapid technological change, and Sweden's NATO membership as requiring a more specialised, yet coordinated, intelligence capability. However, the Armed Forces has criticised the establishment, citing insufficient time to restructure intelligence operations and warning against reorganising a functioning system during unstable times.

- On 14 October 2025, the European Commission published its fifth report on the screening of Foreign Direct Investments (FDI) into the EU, showing a 15% increase in notifications to the EU cooperation mechanism since 2021. In 2024, Member States notified 477 investments to the mechanism, with the US and UK as leading foreign investors and with manufacturing and ICT as the dominant sectors. The share of FDIs blocked remained at about 1 %, which corresponds to the average in recent years. The Commission highlighted persistent disparities among national screening mechanisms, particularly regarding procedural timelines and sectoral coverage.

- On 25 September 2025, the Swedish government issued national control list for dual-use products and technology not covered by Annex I to Regulation (EU) 2021/821 (the Dual-Use Regulation). The list contains items requiring authorisation for exports from Sweden to non-EU destinations of specified products and technology. The introduction of a national control list serves to ensure effective export control that contributes to strengthening public security while fulfilling the objectives of international cooperation on export control. Entering into force on 1 November 2025, the list covers dual-use products in materials processing, computers, and electronics.

Family Offices and Foundations

- On 19 March 2025, the European Commission unveiled its strategy for the Savings and Investments Union (SIU), aiming to bolster the EU's financial ecosystem by channelling savings more efficiently into productive investments. A significant component of this strategy involves a forthcoming review and enhancement of the European Venture Capital Funds Regulation (Regulation [EU] No 345/2013) (the EuVECA) (Sw. *förordningen om riskkapitalfonder*), scheduled for Q3 2026. The proposed review seeks to broaden the scope of investable assets and strategies permissible under the EuVECA framework. This initiative is designed to foster a more dynamic venture capital market, thereby supporting innovative startups and scale-ups across key sectors such as AI, biotechnology, and clean technology. By expanding the range of eligible investments, the Commission aims to enhance the attractiveness of the EuVECA label for fund managers and investors alike. This move is anticipated to facilitate greater capital flow into high-growth potential enterprises, contributing to the EU's broader objectives of innovation, competitiveness, and economic resilience. The broadening may also offer family offices more alternatives, given that the EuVECA is tailored to semi-professional investors.

- On 10 March 2025, the Swedish Supreme Administrative Court (Sw. *Högsta förvaltningsdomstolen*) delivered a ruling in case no. 463-24 (HFD 2025 ref. 9). The case concerned a foundation that almost 20 years earlier had been granted permission by the Swedish Legal, Financial and Administrative Services Agency (Sw. *Kammarkollegiet*) to amend a provision in its deed. Much later, it was discovered that the amendment had resulted in an expansion of the group of beneficiaries that the foundation did not intend. The foundation then requested that the agency amend its previous decision on the basis of Section 37, first paragraph, of the Swedish Administrative Procedure Act (2017:900) (Sw. *förvaltningslagen*) as being incorrect, a request that was denied. The Supreme Administrative Court upheld the agency's decision and stated that an amendment to a provision in the foundation deed regarding the foundation's purpose can only be made if the conditions in Chapter 6, Section 1, of the Swedish Foundation Act (1994:1220) (Sw. *stiftelselagen*) are met.

- On 1 January 2025, certain amendments to the Foundation Act came into force. An important amendment was the introduction of a new ground for conflict of interests for representatives (Sw. *ställföreträdarjäv*). This means that, as a general rule, a board member or a trustee may not handle a matter concerning an agreement between the foundation and a legal entity that the board member or trustee may represent alone or together with someone else. Exceptions apply, for example, in intra-group relationships. In addition, other new rules were introduced, including an obligation for the auditor to make a police report in the event of suspicion of certain criminality. The news also includes fees for late submissions of annual reports and audit reports and a ban on board members who do not intend to take part in the board's activities.

Financial Services

FINTECH AND PAYMENTS

- On 14 October 2025, the European Banking Authority (EBA) published a report on white-labelling, primarily relating to banking services. The report identifies white-labelling as a widespread business model used by 35 % of the banks responding to the EBA's request for advice. The EBA notes that white-labelling can benefit financial institutions, partners and consumers by providing a wider range of financial services at lower cost, while also fostering financial inclusion. White-labelling can also result in risks such as a lack of transparency towards consumers as to precisely with whom they are contracting, as well as challenges for supervisory authorities to effectively monitor the white-label activities.

- On 9 October 2025, the EBA published a report on tackling money laundering and terrorist financing risks in crypto-asset services. The report summarises lessons learned from actions taken by competent authorities and the EBA and also describes strategies used by some crypto-asset service providers and issuers to sidestep national Anti-Money Laundering (AML) and Countering the Financing of Terrorism (CFT) supervision. Examples of the latter include forum shopping across Member States and improper use of reverse solicitation exemptions. The report also notes observed weaknesses in AML/CFT frameworks of crypto-asset service providers, including over-reliance on inadequate group-wide outsourcing arrangements, weak sanctions screening, and insufficient resourcing of AML/CFT compliance officer roles.

- On 5 August 2025, the EBA published a set of regulatory technical standards specifying rules for the treatment of crypto-asset exposure from a capital requirements perspective. These regulatory technical standards are, together with transitional provisions in Capital Requirements Regulation III (Regulation [EU] 2024/1623) (CRR3), part of a temporary method for capitalising crypto-assets in the interim until a permanent prudential framework is implemented. The regulatory technical standards have been drafted to align, as far as possible, with the Basel standard on prudential treatment of crypto-asset exposures, and also take into account provisions in the Markets in Crypto Assets Regulation (Regulation [EU] 2023/1114) (MiCA).

GENERAL

- On 17 October 2025, the Swedish Legislative Council (Sw. *Lagrådet*) assessed a proposal to criminalise unlawful provisions of financial services (Sw. title *"Straffansvar för olovlig finansiell verksamhet"*). The proposal focuses on introducing criminal liability for persons who fail to register or obtain licenses for financial services due to gross negligence or intent. Despite the significant criticism surrounding the proposal, the Legislative Council provided no remarks. The proposal will now be further processed and the subsequent legislative bill prop. 2025/26:42 was presented by the government on 4 November 2025. The proposed amendments may enter into force on 1 March 2026.

- On 22 September 2025, the Swedish Financial Supervisory Authority (FI) (Sw. *Finansinspektionen*) responded to a legislative proposal (Fi2025/01375) that seeks to reallocate the tools and responsibilities for macroprudential policy between several actors. The overall objective of macroprudential policy is to safeguard financial stability by monitoring and taking action to reduce systemic risks. FI therefore expressed its disagreement with the proposal to transfer certain tools for macroprudential policy to the Swedish Central Bank (Sw. *Riksbanken*). Although the direct consequences of the proposal apply to the public division of responsibilities and mandates, the outcome could have an indirect impact on the Swedish financial services market as a whole.

- On 7 August 2025, EBA launched a consultation on its Guidelines on internal governance under the Capital Requirements Directive (Directive 2013/36/EU) (CRD), primarily intended to reflect changes brought by Capital Requirements Directive VI (Directive [EU] 2024/1619) (CRD VI) and to ensure alignment with the Digital Operational Resilience Act (Regulation [EU] 2022/2554) (DORA). The proposed amendments to the Guidelines include, for example, requirements to draw up an internal mapping of duties that specifies internal responsibilities and reporting lines, and introduction of a template for documenting individual statements of roles and duties. The consultation for submission of comments on the draft revised Guidelines is open until 7 November 2025.

REGULATORY CAPITAL

- On 24 October 2025, the European Banking Authority (EBA) published Consultation Paper EBA/CP/2025/21 on revised Guidelines for the Supervisory Review and Evaluation Process (SREP). The proposed guidelines seek to reflect regulatory developments, in particular the new banking package consisting of CRR3 and the Capital Requirements Directive VI (Directive [EU] 2024/1619), and other legislation such as the Digital Operational Resilience Act (Regulation [EU] 2022/2554) (DORA). The guidelines propose to consolidate all relevant SREP provisions into a single framework, including integrating new aspects such as ESG factors, operational resilience, third-country branches and clarifications on the interaction between the revised Pillar 1 and 2 requirements. The consultation runs until 26 January 2026, and the final guidelines are expected to apply from 1 January 2027.

- On 22 October 2025, the Swedish Financial Supervisory Authority (FI) (Sw. *Finansinspektionen*) announced that it will conduct an in-depth analysis to map how issuers of covered bonds have applied the transitional rules in the covered bond regulatory framework. New rules for issuers of covered bonds entered into force on 8 July 2022, with transitional rules introduced for bonds issued before the regulatory change, including certain so-called on tap bonds, whose volume is expanded under the same ISIN code during the bond's maturity. The analysis aims to gain a better understanding of which bonds are covered by the transitional rules and how the volume expansion of individual bonds relates to the conditions in the transitional rules. The in-depth analysis will cover the twelve institutions in Sweden that have permits to issue covered bonds.

- On 3 October 2025, FI recognised the Norwegian Ministry of Finance's decision on average risk weight floors of 25 % (previously 20 %) for household exposures secured by real estate in Norway and 35 % for corporate exposures secured by real estate in Norway. The decision applies from 31 December 2025 to 31 December 2026 and affects Swedish credit institutions using the internal ratings-based approach (IRB Approach) with exposures in Norway exceeding the specified thresholds of NOK 37.8 billion for retail exposures and NOK 9.3 billion for corporate exposures.

Intellectual Property and Marketing

INTELLECTUAL PROPERTY RIGHTS

- On 2 October 2025, the Swedish Patent and Market Court of Appeal (Sw. *Patent- och marknadsöverdomstolen*) delivered its decision in cases nos. PMÄ 4987-25 and PMÄ 4988-25. Through its decision, the court partially overturned a decision by the Swedish Intellectual Property Office (Sw. *Patent- och registreringsverket, PRV*) to reject two trademark applications due to lack of distinctiveness, which was upheld by the lower court. The decision concerns two trademark applications filed by a widely-renowned Swedish gambling provider. The trademarks were ultimately found to possess inherent distinctiveness for three classes and to have acquired distinctiveness for betting activities. Notably, the Patent and Market Court of Appeal referred to its conclusions on the reputation of the marks based on evidence in an earlier infringement case brought by the applicant. Such references to earlier assessments of evidence presented in separate cases are rare in Swedish trademark case-law.

- On 1 October 2025, the EU Intellectual Property Office (EUIPO) presented statistics on IP enforcement in the EU during 2024. The year brought the second-highest number of seizures of infringing items on record, representing a 30 % increase compared to 2022. The estimated total value of seized items, amounting to EUR 3.8 billion, is the highest ever recorded. It is clear that the market for counterfeit products remains strong in Europe. The majority of enforcement cases was concentrated to a small number of Member States with Italy, Spain, France, Netherlands, Portugal, Romania and Poland accounting for 90 % of the total volume of items seized.

- On 4 September 2025, the Swedish government presented legislative bill prop. 2024/25:208 (Sw. *Ett mer heltäckande straffansvar vid angrepp på företagshemligheter*) concerning amendments to the Swedish Trade Secrets Act (2018:558) (Sw. *lagen om företagshemligheter*). The proposal's focal point is the bolstering of protection for companies' and research institutions' trade secrets through more comprehensive criminal liability for unlawful use of trade secrets. Importantly, it is proposed that it will constitute a criminal offense to unlawfully exploit or disclose trade secrets even when a person already has lawful access to the trade secrets at hand (for instance due to employment). This is not the case under current legislation, which has resulted in significant criticism. The proposed legislative changes may enter into force on 1 January 2026.

MARKETING AND CONSUMER PROTECTION

- On 27 October 2025, the Swedish Consumer Agency (Sw. *Konsumentverket*) concluded an industry sweep concerning terms relating to unauthorised debit and credit card transactions. The authority assessed eight companies and found several terms that infringe consumer protection law. It found that multiple companies impose requirements that are far-reaching in light of applicable law in a manner that is disproportionate and unreasonable. The authority also found that some companies' terms could require consumers to pay multiple excess amounts for unauthorised transactions, along with terms allowing companies to unilaterally debit consumers' accounts after issuing refunds if they subsequently determine a transaction was authorised. Due to its findings, the Consumer Agency announced targeted supervisory actions against the companies where possible violations have been identified. Notably, this supervisory action is one of several throughout the year concerning unfair contract terms (Sw. *oskäliga avtalsvillkor*) pertaining to the financial sector.

- On 14 October 2025, the Swedish Patent and Market Court of Appeal (Sw. *Patent- och marknadsöverdomstolen)* decided in case no. PMÖ 9362-24 to uphold the decision by the lower court to dismiss claims on unfair commercial practices. The claims were brought by a company claiming that another company's marketing was non-compliant with the restrictions on tobacco advertising. In Sweden, competitors may bring claims against each other concerning marketing. Under current case-law, it has very rarely been questioned whether a claimant – in fact – is a competitor. In this case, the fact that both parties were subject to the same tobacco advertising restrictions could not itself establish that they were competitors. This case is a landmark case since the court laid out criteria to further assess if a claimant has the right to bring legal action based on unfair commercial practices. The Patent and Market Court of Appeal has allowed the decision to be appealed further.

- On 10 October 2025, Regulation (EU) 2024/900 (the EU Political Advertising Regulation) (Sw. *EU:s förordning om politisk reklam*) entered into effect. The regulation requires providers, publishers, and sponsors to clearly label all political advertisements, disclose detailed information including the sponsor's identity, remuneration amounts and dissemination periods through transparency notices, and comply with strict restrictions on processing of personal data. Furthermore, the regulation restricts non-European actors from sponsoring political advertising in the three months before elections. Sanctions due to violation may

amount to up to 6 % of revenue or global annual turnover. The regulation affects not only traditional advertising agencies but all companies involved in offering, publishing, or sponsoring of political advertising.

Real Estate and Environment

- On 7 October 2025, the Swedish government published memorandum KN2025/01878 proposing that a new Environmental Assessment Authority (Sw. *Miljöprövningsmyndigheten*) will be established to take over the tasks currently handled by the Swedish county administrative boards (Sw. *länsstyrelserna*), with proposed entry into force on 1 July 2027. The government may prescribe that applications for permits for certain types of environmentally hazardous activities shall be examined by the new Environmental Assessment Authority. As a consequence of the proposal, the Swedish Regulation on Environmental Assessment Delegations (2011:1237) (Sw. *förordningen om miljöprövningsdelegationer*) may be repealed.

- On 3 October 2025, the Government submitted a legislative referral to the Council on Legislation (Sw. *Lagrådet*) proposing amendments to the Swedish Land Acquisition Act (1979:230) (Sw. *jordförvärvslagen*). The proposal extends the requirement for acquisition permits to cover legal entities' acquisitions of agricultural property through testamentary dispositions and from the Swedish General Inheritance Fund (Sw. *Allmänna arvsfonden*). Applications for acquisition permits must be made within three months from when the will has gained legal force and the inheritance has been distributed or, if the estate inventory had not been registered at that time, from when the registration occurred. If an application is not made within the prescribed time or manner, or if an acquisition permit is refused, the acquisition is invalid. The amendments are proposed to enter into force on 1 January 2027.

- On 19 August 2025, the Swedish Supreme Court (Sw. *Högsta domstolen*) ruled in case no T 3007-24 "Meteoriten" in favour of two geologists who discovered a 14 kg iron meteorite, establishing meteorites as movable property rather than part of real property. The case arose from a meteorite fall on 7 November 2020 and the subsequent discovery on 5 December 2020. The court held that meteorites do not constitute a component of real property due to their extraterrestrial origin and distinctive material properties. Since the meteorite was not in anyone's possession when discovered, the finders acquired ownership through taking possession. One justice dissented, arguing meteorites should be considered part of real property. The decision provides crucial precedent for meteorite discoveries in Sweden and establishes important guidance for space-related property law.

In-Depth

EU Sustainability Rules in Limbo: European Parliament Rejects Omnibus I Simplification

October was a turbulent month for the Omnibus I Simplification Package which is in the midst of the EU legislative process. The Package seeks to boost competitiveness by significantly reducing the scope of companies subject to reporting obligations under the Corporate Sustainability Reporting Directive (CSRD) and the due diligence obligations under the Corporate Sustainability Due Diligence Directive (CSDDD).

FROM APPROVAL TO REJECTION

On 13 October 2025, the European Parliament's Committee on Legal Affairs approved, in a compromise proposal, its position on a series of changes to sustainability reporting and due diligence requirements (with 17 in favour, six against, and two abstentions). The European Parliament was expected to approve the committee mandate at its next plenary session, to begin trilogue negotiations on the final text in late October. However, in a surprising turn of events, the European Parliament rejected the compromise text on 22 October 2025 in a close vote.

WHAT HAPPENS NEXT

The Package was scheduled to return to plenary in mid-November 2025 for a full vote, leaving it open to renegotiation and amendments. On 13 November 2025, the European Parliament adopted its negotiating position on simplified sustainability reporting and due diligence, subject to amendments.

Trilogue negotiations between the European Parliament, the Council and the Commission were subsequently initiated on 18 November, having been delayed from their original end-of-October schedule. Whilst the aim remains to reach legislative agreement by year-end, the timeline is now considerably tight.

UNDERSTANDING THE SHIFT

The heart of the political turmoil lies in divisions in the European Parliament over how far the proposed simplifications should go – balancing sustainability ambitions with competitiveness concerns. Moreover, the Package is also controversial because critics argue it reflects deregulation disguised as simplification, as the overwhelming majority of projected cost cuts are the result of a drastically reduced scope of application (effectively reducing the scope of affected companies by approximately 80 %), as opposed to genuine procedural compromises to foster efficiency. Moreover, the Package suffers from poor timing, as it arrived at a time when companies had already spent over two years investing financial and human resources to prepare for the original requirements.

MARKET IMPACT AND UNCERTAINTY

Uncertainty persists for companies preparing for CSRD and CSDDD compliance. Companies should sustain their preparatory efforts, whilst monitoring legislative developments and planning for various scenarios. Current status suggests that mandatory sustainability reporting and due diligence requirements will apply to the very largest companies, with voluntary adoption for smaller businesses. Regardless of the ongoing debate over implementation timelines and scope, transparency and due diligence remain essential expectations for companies engaged in commercial activities within the European market.

Additional Omnibus Simplification Packages are awaiting negotiations, including the EU's Digital Omnibus Package, where similar divisions over the extent of simplifications and challenging negotiations may resurface.

Rikard Sundstedt and Sofie Hallén