

Konsekvensutredning av Polismyndighetens föreskrifter om utrustning för ordningsvakter



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Contents

1	The problem at issue and what change is sought.....	4
1.1	Current situation and starting points.....	4
1.2	Legal prerequisites – Authorisations.....	4
1.3	Proposal for new provisions.....	4
1.4	Limitations.....	4
2	Implementation.....	5
2.1	Collaboration with the industry.....	5
2.2	External consultation.....	6
3	Alternatives.....	7
3.1	Consequences if no action is taken – the zero alternative.....	7
3.2	Governance through collaboration and guidance addressed to the industry.....	7
3.3	Control by developed regulations on equipment for public order officers.....	8
3.4	Selection of the most appropriate alternative.....	8
4	Description of the proposal – content of the regulations.....	8
4.1	Chapter 1 Introductory provisions.....	9
4.2	Chapter 2 Uniforms for public order officers.....	9
4.2.1	About uniforms in general.....	9
4.2.2	Uniform garments.....	10
4.2.2.1	Amendments and clarifications.....	11
4.2.3	Insignia.....	13
4.2.3.1	Purpose and principles.....	13
4.2.3.2	In particular on the use of the small coat of arms.....	14
4.2.3.3	Insignia that are not changed.....	15
4.2.3.4	Insignia that are removed.....	16
4.2.3.5	Function designations subject to clarification or adjustment.....	17
4.2.3.6	Introduction of new insignia for principals.....	18
4.2.3.7	Insignia that has been considered.....	19
4.3	Chapter 3 Assistive devices for the use of force.....	19
4.3.1	Requirement that certain equipment be carried in an equipment belt or waistband.....	19
4.3.2	Batons for public order officers.....	20
4.3.2.1	Current regulations.....	20
4.3.2.2	The Swedish Police Authority’s proposal and assessment.....	20
4.3.2.3	Baton technical standard.....	20
4.3.2.4	New rules on baton holsters.....	21
4.3.3	Handcuffs for public order officers.....	21
4.3.3.1	Current regulations.....	21
4.3.3.2	The Swedish Police Authority’s proposal and assessment.....	21
4.3.3.3	Technical standard for metal handcuffs.....	22
4.4	Chapter 4 Other equipment.....	22

4.4.1	Safety helmets.....	22
4.4.2	Other equipment that is not regulated.....	23
4.5	Tools that are removed.....	24
4.6	Assistive devices regulated in another manner.....	24
4.6.1	Protective equipment.....	24
4.6.2	Firearms.....	24
4.7	Assistive devices that have been considered.....	25
4.7.1	Pepper spray and electric shock weapons.....	25
4.7.2	Shields.....	25
4.7.3	Other body armour.....	26
4.8	Chapter 5 Vehicles for the transport of detained persons.....	26
4.8.1	Current regulations.....	26
4.8.2	The Swedish Police Authority's proposal and assessment.....	26
4.9	Chapter 6 – Exemptions.....	28
4.10	Transitional provisions.....	29
5	Costs.....	29
5.1	Calculation of the costs and revenues of the proposal.....	29
5.2	Costs for the State.....	29
5.3	Costs for municipalities and regions.....	30
5.4	Costs for companies and individuals.....	30
6	Assessments.....	31
6.1	Assessment of whether the proposal restricts municipal self-government.....	31
6.2	Conformity of the proposals with international or EU standards..	31
6.3	Assessment of the proposal's conformity with EU law.....	32
6.4	Assessment of the effects of the proposal on public expenditure..	33
7	Other impacts.....	33
7.1	Description of other relevant impacts.....	33
7.2	Restrictive measures.....	33
7.3	Time of entry into force.....	34
7.4	The need for special information initiatives.....	34
7.5	Evaluation of the impact.....	34

1 The problem at issue and what change is sought

Section 6.1 of the Ordinance (2024:183) on impact assessments states that an impact assessment must contain an account of the problem in question and the change sought.

1.1 Current situation and starting points

Due to the entry into force on 1 January 2024 of the new Act (2023:421) and Ordinance (2023:422) on public order officers, the Swedish Police Authority decided on 4 December 2023 to amend the regulations¹ governing public order officers. The amending regulations entered into force on 1 January 2024. The amendments aimed to make the necessary adjustments in the Authority's regulations to a new Act and Ordinance. During the last review, there was no room to deal with certain issues, such as the development of technical rules on the equipment of public order officers and the like. This is because technical regulations are subject to a notification procedure resulting from Sweden's membership of the EU.²

1.2 Legal prerequisites – Authorisations

Section 11 of the Ordinance on impact assessments states that an impact assessment must contain information on the authorisations on which the authority's decision is based. In this case, the proposed regulations are based on Section 20.1.3 of the Public Order Officer Ordinance, according to which the Swedish Police Authority may issue further regulations on equipment for public order officers.

1.3 Proposal for new provisions

The new provisions aim to regulate the equipment for public order officers in a clear and legally secure manner. One objective of the current review is that the technical requirements imposed on equipment in the proposal can be examined through the notification procedure that follows from EU law. This is to ensure that the regulation is consistent with the requirements that follow from Sweden's membership of the European Union. Proposals for new regulations are described in more detail in Chapter 4 of this impact assessment.

1.4 Limitations

The Swedish Police Authority's regulations and general guidelines (PMFS 2017:12) on public order officers currently in force contain provisions on authorisations to use public order officers, as well as appointment and training of public order officers. These regulations will be reviewed in

¹ Regulations (PMFS 2023:18) amending the Swedish Police Authority's Regulations and General Guidelines (PMFS 2017:12) on Public Order Officers.

² Ordinance (1994:2029) on Technical Rules.

the next step of the ongoing revision of existing regulations and general advice and are therefore not addressed in this impact assessment.

Certain equipment regulated by the draft is also used by other categories of security personnel such as patrol guards and security guards. Examples of equipment used by several categories of surveillance personnel include handcuffs, batons and emblems.

The draft only regulates the design of equipment for public order officers and prescribes how uniforms and batons shall or may be worn by public order officers. Thus, provisions governing when a public order officer shall use or carry certain equipment are not, as a general rule, regulated in these regulations. Furthermore, the regulations lay down certain requirements for transport vehicles, which must be met in order for public order officers to be able to use the vehicle for the transport of a detained person. If there is a need for additional rules on the use of equipment, this will be dealt with in the other parts of the Regulation on public order officers, which will be reviewed in the next stage.

The proposal intends to regulate the equipment that all public order officers must use or may need.

In its proposal, the Swedish Police Authority has not regulated matters arising from employers' responsibility for the working environment of employees under the Working Environment Act (1977:1160) and its implementing provisions, as well as EU law in this area. This is because the Swedish Police Authority is not normally the employer of public order officers. In the proposal, the Swedish Police Authority has avoided double regulation of the kind that follows from the above-mentioned statutes and has instead tried to create the conditions in which the prescribed equipment for public order officers can be adapted to the rules that follow from employers' occupational safety and health responsibilities for employees.

2 Implementation

2.1 Collaboration with the industry

During the preparation of proposals for new regulations on equipment for public order officers, collaboration with the security industry has mainly taken place on two occasions.

On 19 June 2024, a collaboration meeting was held with representatives of the security industry through the Security Industry's Occupational Health and Safety Board, the Security Industry's Association and Almega Security Companies. At the meeting, the Swedish Police Authority described how far it had come with proposals for new regulations on equipment for public order officers, and proposed closer collaboration on certain details.

A hearing was held with industry representatives on 22 August 2024. The purpose of the hearing was to discuss proposed changes and clarifications in proposals for new regulations. There was a particular focus on the industry's need for function designation and insignia for public order officers. Prior to the hearing, the participants had been given access to information in the form of investigative material, draft regulations and issues. The comments made have been incorporated into the proposal where indicated.

In addition to the collaboration described above, some collaboration has taken place with industry representatives through individual requests for the needs and design of certain equipment details.

2.2 External consultation

Draft regulations and the associated impact assessment have been circulated for consultation to the relevant authorities, companies and organisations. The consultation bodies are set out in Annex 1 to this impact assessment. 11 consultation bodies have submitted comments, five have had no comments or have informed that they are refraining from commenting and seven consultation bodies have not been heard from. The following comments have been received.

In the opinions, some of the bodies consulted have commented on questions about safety and protective equipment and how these should be designed and regulated in order to achieve a good working environment for public order officers. The Swedish Police Authority has, through some clarifications (see Section 4.6.1) and adjustments, as well as developed texts in this impact assessment, taken into account the comments received. The main focus has been on avoiding double regulation and ensuring that responsibility for work environment issues can be taken entirely by employers of public order officers.

The trade associations have questioned references to certain standards. The reasons for including these references in the draft have been clarified in the impact assessment and the reference to safety helmet standard has been removed. The Swedish Police Authority notes that the standards set out in the proposal are public and easily accessible.

The trade associations have opposed the removal of firearms and dogs from the chapter on assistive devices for the use of force. The Swedish Police Authority has not taken this objection into account in the final draft for reasons set out in Section 4.6.2 below.

The trade associations have requested that search dogs for narcotics be permitted for public order officers. The Swedish Police Authority considers that it is doubtful whether the search for drugs falls within the remit of public order officers. The legal conditions for allowing such dogs for public order officers are currently unclear and not investigated. The Swedish Police Authority understands that the demand for narcotic search dogs for public order officers

is extremely limited or non-existent and should therefore not be included in regulations. If the industry is interested in developing such activities, the legal situation should be investigated, the need should be inventoried, and then decisions made on continued work. Should there be both legal conditions and a need for drug detection dogs for public order officers, this should initially be tested through some form of trial activities that are evaluated before the Swedish Police Authority is prepared to provide for this. Such trial activities can initially be handled by individual decisions on exemptions until the business has been assessed and regulated at a general level, i.e. by regulations.

Some county administrative boards have pointed out that the responsibility for supervision of vehicles for the transport of detained persons risks overlapping with the county administrative boards' supervisory responsibilities over security companies, including their vehicles. The Swedish Police Authority notes that the supervision by the county administrative boards also covers compliance with statutes other than the law on security companies and its accompanying regulations. In addition, the Swedish Police Authority has supervisory responsibility over public order officers. The Swedish Police Authority agrees with the county administrative boards' assessment that this overlap exists and needs to be addressed. The Swedish Police Authority will return to it in connection with the review of FAP 573-1, which has recently commenced. Trade associations have also expressed some views on the proposal on the labelling of vehicles for transport. The Swedish Police Authority has clarified these rules in the final version of the regulations.

The trade associations had some views on transitional provisions concerning batons. Among other things, they argue that rubber batons should continue to be permitted. The Swedish Police Authority does not share this assessment for the reasons set out in Section 4.3.2.2 below.

3 Alternatives

Section 6.2 of the Ordinance on impact assessments states that an impact assessment must state what consequences are deemed to arise if no action is taken. Paragraph 3 of the same provision states that an impact assessment shall contain an account of the alternatives available to achieve the change, including the advantages and disadvantages of such alternatives.

3.1 Consequences if no action is taken – the zero alternative

Maintaining the current regulations unchanged would mean that the ambiguities regarding public order officers' equipment would remain. The zero alternative is therefore not considered to contribute to achieving the desired change, which is why this alternative has not been further investigated.

3.2 Governance through collaboration and guidance addressed to the industry

An alternative to regulations could be to seek to achieve the objective of the currently proposed regulations through collaboration and guidance to the industry. One possible advantage of such a solution would be that it increases flexibility for the industry compared to binding rules. However, the disadvantages of lack of clarity and resulting legal uncertainty mean that the Swedish Police Authority does not consider that such a solution would fully contribute to achieving the objective of the proposal.

3.3 Control by developed regulations on equipment for public order officers

The proposal for a new regulation on equipment for public order officers which has been drawn up, aims to clarify and specify the requirements that the Swedish Police Authority imposes on equipment, vehicles, etc. used by public order officers. The Swedish Police Authority considers that the proposed specifications contribute to increased clarity on the actual meaning of the rules.

3.4 Selection of the most appropriate alternative

According to Section 6.4 of the Ordinance on impact assessments, an impact assessment shall report on the alternative or alternatives that are deemed most appropriate as well as the reasons for such an assessment.

Options other than the baseline option and collaborative and guidance governance have not been identified. The Swedish Police Authority considers that a clearer and more precise regulation in accordance with the proposal is the most appropriate solution. Such a solution contributes to increased legal certainty for the industry compared to the regulations in force, which in some parts are perceived to be unclear and imprecise. Clearer rules on the equipment of public order officers should make it easier for companies in the security industry to set the right requirements for the procurement of equipment for public order officers. Furthermore, precise rules on transport vehicles mean that the current procedure with the application for approval of transport vehicles can be eliminated. This will improve efficiency for both companies and authorities involved.

Overall, the Swedish Police Authority considers that there are reasons to prescribe the equipment for public order officers in accordance with the proposal.

4 Description of the proposal – content of the regulations

According to Section 7, first paragraph, point 1 of the Ordinance on impact assessments, an impact assessment must contain a description of what is pro-

posed. In this case, the Swedish Police Authority proposes new regulations on equipment for public order officers such as uniforms, assistive devices for the use of force and vehicles for the transport of detainees.

4.1 Chapter 1 Introductory provisions

Section 1 is a new introductory provision that describes what the regulations regulate. Section 2 refers to other regulations and general advice on public order officers, i.e. what is currently regulated in the Swedish Police Authority's Regulations and general guidelines (PMFS 2017:12) on public order officers. The parts of the regulations in force which do not concern the equipment for public order officers are also subject to review. The objective is that both regulations on the equipment for public order officers and regulations concerning, inter alia, the authorisation and appointment of the public order officers are adopted at the same time. Only then can the PMFS number be indicated in the provision.

4.2 Chapter 2 Uniforms for public order officers

The provisions of this chapter govern the garments and insignia which are included in the uniforms for public order officers and the way in which they are to be worn. The corresponding provisions are contained in Chapter 9, Section 1 and Annex 4 to the regulations in force.

4.2.1 About uniforms in general

The provisions of the first paragraph of Section 1 correspond to those laid down in Chapter 9, Section 1 of the regulations in force. A linguistic clarification has been made in the proposal that only the prescribed uniforms may be worn.

Section 1, second paragraph, is new compared to current rules and clarifies that in environments and situations where other provisions on protective equipment apply, such protective equipment shall be given priority. Examples of such environments can be road areas, construction sites, port areas or similar.

Section 2 of the proposal clarifies that uniforms consist of uniform garments and insignia.

Section 3 proposes general rules according to which a uniform shall be worn in such a way that it inspires confidence and is otherwise consistent with the duties of a public order officer. The reason for the addition is to emphasise that the uniform is an important part of building trust and that this is an essential part of the duties of a public order officer. The aim is to prevent the uniform garments from being worn in a manner that cannot be considered suitable for a public order officer, in addition to that governed by the other provisions concerning the bearing of uniforms.

Annex 4 to the current regulations contains a general rule that headgear shall always be worn outdoors, in the case of sports events and when performing duties in public transport. This rule is now contained in Section 4 of the proposal. The reason for including these rules in a separate regulation is to highlight and clarify that headgear must always be worn in the context set out in the provision.

Section 5 of the draft states that uniform garments must be made from suitable and customary materials for uniforms. Suitable materials should be those that contribute to the function of the uniform garment and the unitary impression of the uniform. By customary materials, it is meant that the materials chosen for uniform garments should be those expected of similar garments used in society in general. The provision is general and aims to avoid the use of manifestly unsuitable, unusual or extreme materials in the production of uniform garments. The reason for avoiding such materials is that it would not contribute to a unitary impression, which is the main purpose of uniforms. At the same time, the Swedish Police Authority considers that it is not justified to specify in detail which exact materials the uniform garments must be made from. An overly detailed regulation of material requirements for uniform garments could lead to increased costs for the public order officer companies and limit the future development of garments as further developed materials enter the market.

Sections 6 and 7 state which colours are permitted, how they are defined and measured. The colours have not been changed in the proposal and the corresponding definitions are set out in Annex 4 to the current regulations. A minor clarification has been made so that the term blue for the colour on the coat of arms has been changed to medium blue in the proposal. However, the specification according to the NCS is the same, which means that the blue colour previously indicated for the coat of arms on emblems has not been changed. The purpose of the adjustment is to reduce the risk of confusion with the blue used for other garments etc. in the regulations.

Colours for public order officers' garments have been regulated in the Swedish Police Authority's regulations with the help of what is known as NCS³ codes since 2010. NCS stands for Natural Color System and is an international standard to describe colours.⁴ A public order officer must ensure that he or she wears the prescribed uniform. In practice, however, it will be the person who manufactures or buys uniform garments who must ensure that the garment in question meets the prescribed requirements. Analysis of colour samples should be carried out by authorised laboratories and assessments should take into account things such as material, structure, light conditions and finish.

4.2.2 Uniform garments

³ Natural Color System

⁴Swedish Institute for Standards, <https://www.sis.se/nyheter-och-press/nyheter/ncs-atlas-reviderad--kompletterad-med-lagkulorta-farger/>, accessed 10 May 2024.

Section 8, together with the tables included in the Section, set out which uniform garments are permitted and how they are to be worn. In order to make things easier for the reader, the mutual order has been systematised and the garments have been grouped according to the following principles:

- sweaters
- shirts
- trousers
- suits
- outer garments
- headgear
- footwear
- high-visibility garments.

The wording of the tables and sketches contained in Annex 4 to the current regulations has been revised in order to clarify what are mandatory requirements for a uniform garment (for example, polo shirts must be blue) and what is selectable (for example, that a light blue shirt may have long or short sleeves). Furthermore, the draft clarifies that the sketches are principle sketches. This means that no exact sections, dimensions or proportions should be read from the sketch, but the uniform garment should be recognisable in accordance with the principles sketch. Requirements for the design of the garment have been collected in the middle column, and requirements for how the garment shall be worn are specified in the right column.

4.2.2.1 Amendments and clarifications

The following clarifications and amendments are proposed compared to the current regulations.

Requirements for certain upper body garments to be worn tucked into the waistband have been clarified. The aim is to achieve a unitary use of the garment that mimics the requirements imposed on the wearing of uniforms by the police. Unitary use of uniform garments ensures that the uniform is perceived precisely as a uniform. A unitary uniform also contributes to strengthening the ability of the public to recognise public order officers and to give the public confidence in the officers.

For all uniform garments, indications of material, such as that a garment may be of what is referred to as 'functional material', have been removed. The aim of removing such rules is to allow manufacturers, purchasers and users to design garments according to different needs. For example, the requirements for a jacket can be met both for a water-repellent jacket and for a waterproof rain jacket. However, requirements for the quality of the material remain for certain garments (such as knitwear, woven fabrics and similar).

The current regulations state that a suit jacket, high-visibility vests and jackets may contain body armour. In the proposal, this has been removed from the description of the garments listed above. The Swedish Police Authority sees no reason to regulate whether or not a garment may contain body ar-

mour, as long as the garment is otherwise designed in accordance with the regulations in order to obtain a unitary impression. Thus, the fact that the proposal does not explicitly state that certain garments may contain body armour does not prevent garments from being designed with integrated protective functions. What is worn under the prescribed uniform garments is also not regulated (see also Section 4.6.1), meaning that the body armour can be worn, for example, under jackets without infringing the regulations.

In the current regulations, buttons constitute service insignia. This stems from how uniform buttons have been used within the Swedish Police Authority and the Swedish Armed Forces. In the proposal uniform buttons are not considered to constitute service insignia. Rules on buttons in the proposal are instead found together with the uniform garments to which the buttons belong and are unchanged compared to the current regulations on buttons.

In the proposal for revised regulations, the Swedish Police Authority proposes that what is referred to in the current regulations as a 'name holder' on upper body clothing be changed to 'badge holder'. This is to clarify that the badge can also be used to indicate other information besides a name (see further Section 4.2.3.6).

A completely new garment is introduced in the form of a blue long-sleeved shirt. The cut on the garment corresponds to the common dark blue shirt carried by many public order officers. The purpose of introducing the garment is to modernise the uniforms of public order officers by introducing a functional garment that has been appreciated by many police officers. The requirement for the wearing of this shirt is similar to the requirements imposed on police officers for the corresponding garments, but differs in several respects from the way in which the already permitted long-sleeved light-blue shirt in the public order officer uniform should be worn. This new garment may not be worn together with a tie or suit garments, but may be worn with sleeves rolled up as an outermost garment.

The name 'belt' is changed to 'equipment belt' to clarify that an equipment belt is a carrying device for equipment (see also Section 4.3.1 below).

The current regulations require that skin coloured pantyhose be worn for skirts. The rule has been moved to the section on skirts and extended so that black pantyhose are also permitted for public order officers.

Overalls are proposed to be deleted as a uniform garment as the Swedish Police Authority considers that there is no demand for this garment. As a result of searches of shops marketing equipment for public order officers, no overalls have been found. However, a transitional provision is introduced to ensure that any overalls that exist in the industry may be used until the end of 2027.

Headgear

The rules on headgear have been simplified and clarified in the proposal. In the current regulations, all headgear is designated as 'hat' ('mössa') with various additions. In the proposal, headgear have been given more unique names such as cap, hat and side cap. This is to make it easier to refer to the different headgear and to reduce the risk of confusion.

Footwear

The rules for footwear are unchanged compared to the current rules, except that socks may also be blue in the proposal. The adjustments that have been made are only of a linguistic nature with certain clarifications regarding requirements for wearing.

High-visibility garments

High-visibility garments have been inserted under a separate heading. Section 9 states that high-visibility garments designed to meet the requirements of personal protective equipment in accordance with the standard EN ISO 20471 must otherwise be designed in accordance with what is set out in the table to Section 9 in order to be permitted uniform garments for public order officers.

The Swedish Police Authority considers that it is not appropriate for the authority to stipulate that garments must meet a certain standard for protective equipment intended to meet work environment-related requirements imposed on the public order officer's employer. On the other hand, the Swedish Police Authority shall create the possibility in regulations and not prevent the public order officer's employer from producing uniform garments in such a way that the employer can meet these requirements. The direct requirement for the high-visibility garments to comply with the aforementioned standard has therefore been removed and is instead mentioned as a clarification in the introduction of the provision. The size of a high-visibility vest and high-visibility jacket is also not regulated, which also creates conditions for the employer of the public order officer to be able to produce such garments and meet the requirements for protective equipment for their employees.

It is clear from the regulations in force that high-visibility jackets and vests may be marked with the text 'Supervisor' or 'Group leader'. This possibility is removed from the proposal because the Swedish Police Authority considers that arm bands with the specifications set out below show in a clearer and more unitary way who is responsible. The Swedish Police Authority has not noticed that high-visibility garments with the designation 'Supervisor' or 'Group leader' are used to any extent by public order officers. The consequence of removing these rules should therefore be limited or insignificant.

4.2.3 Insignia

Section 10, with an associated table, governs which emblems and indications are permitted and how they are to be worn. The corresponding provisions are set out in Annex 4 to the current regulations.

4.2.3.1 Purpose and principles

The insignia for public order officers have, to a large extent, the same purpose as within the police. Insignia shall clarify the function and authority of an individual. For public order officers, insignia are an important signal to the public indicating the presence of forces maintaining public order. For public order officers, the aim is to stipulate that insignia shall also facilitate cooperation between the police and public order officers. Making, for example, the service degree visible is not a purpose of insignia for public order officers in the same way as it is within the police.

The insignia of public order officers shall follow, as far as possible, the same principles as the insignia for police officers. At the same time, the risk of confusion with police officers must be minimised, which is a requirement under Section 18 of the Ordinance (2023:422) on public order officers. The insignia for public order officers shall be clear, functional and cost-effective in relation to the need and expected effect. The following overall principles for the placement of insignia on public order officers' uniforms are proposed in order to facilitate recognition and to create a unitary, easily understandable system for the bearing of insignia.

- The left breast is used for the function designation of a public order officer.
- The right breast is used for badges with information about certain roles and names.
- Sleeves are used for sleeve emblems and emblems showing the place of employment and the principal.

The principles have been discussed with industry representatives at a hearing on 22 August 2024. Following the hearing, the Swedish Police Authority has made a minor adjustment to draft principles discussed at that time. This is because information about both the principal and certain roles of the badge (as initially proposed, for example, 'Group Leader' together with the name or logo of the municipality on the same badge) risks leading to erroneous conclusions.

4.2.3.2 In particular on the use of the small coat of arms

The small coat of arms is used as part of the emblem for public order officers and other guard categories. The use of the coat of arms is regulated by the Act (1982:268) on Sweden's national coat of arms, the Act (1970:498) on the protection of coats of arms and certain other official designations and the Ordinance (2019:167) on certain official designations. The question of the use of the small coat of arms in emblems for public order officers is under investigation. The results of the investigation will affect the final drafting of the regulations. The Swedish Police Authority's starting point is that the small coat of arms can be used in emblems for public order officers in the same way as before. An emblem for public order officers has existed for a long time and is well established. There is no obvious reason to encourage a change in the emblem. All emblems appearing in insignia have been revised to ensure that, as far as possible, all emblems have a uniform appearance.



Figure 1. Emblem of, inter alia, public order officers. The emblem is also used for other types of guard and surveillance officers, such as security guards, maritime and port security inspectors and hunting and fisheries enforcement officers.

In its opinion on the proposal, the Swedish National Archives has noted that no colour has been specified for either the three crowns in the small national coat of arms or the fasces with oak leaves (applies to all emblems). In its opinion, the Swedish National Archives proposes that the Swedish Police Authority check whether the colour needs to be specified.

The Swedish Police Authority notes that the proposal contains a yellow colour code for function designation, sleeve emblem and square rope on side caps in Chapter 2, Section 6.4. The Swedish Police Authority considers that the recommendations set out in the Swedish National Archives' website on heraldic colours are sufficient.

4.2.3.3 Insignia that are not changed

The following insignia for public order officers are not changed in the draft in relation to current regulations:

- function designation for breast and back
- emblems for sleeves, hats and suits.

The emblem for public order officers consists of a mark on a black background consisting of a shield with the small coat of arms positioned over two intersecting fasces, resting on an oak leaf. The number of oak leaves in the oak leaf wreath on either side of the upper part of the shield varies between six and eight in the material previously provided by the Swedish Police Authority and in the sketches contained in the current regulations. The description of emblems for public order officers does not refer to the number of oak leaves. The Swedish Police Authority considers that a variation of between six and eight leaves on each side of the upper part of the shield is acceptable for emblems that are now in use. However, in order to make it easier for public order officer companies to do the right thing, the emblems have been reviewed in this regard. New sketches of emblems have been produced and all emblems in the proposal now have seven oak leaves on each side of the upper part of the shield.

The reasons for not changing these service signs are that they are well established, widely dispersed and functioning. Some marginal clarifications have been made so that rules for design (including the number of oak leaves in the public order officers' emblem, see further under Section 4.2.3.2 above) and wearing are clearer and more uniform.

At the hearing on 22 August 2024, industry representatives agreed with the view that the insignia listed above should not be changed as they are well established and functioning.

4.2.3.4 Insignia that are removed

Buttons

The Swedish Police Authority is considering proposing that buttons should not continue to be considered as insignia for public order officers. If it is necessary to set requirements on buttons, this is done in regulations for the garments where the buttons are included (see also Section 4.2.2.1 above). The proposal was endorsed by industry representatives at the hearing on 22 August 2024.

Shoulder marking

The current regulations, Appendix 4, state that public order officers who are supervisors may wear, among other things, shoulder markings that show the function or task of the public order officer.

Within the Swedish Police Authority, shoulder markings (shoulder straps and insignia on the shoulder in the form of what is referred to as shoulder strap casings) are used exclusively for rank designations that indicate the service rank and the management or employee level of a public order officer. The upper body garments prescribed for public order officers do not normally have shoulder straps. There is no explicit prohibition in the current regulations on shoulder straps, but the sketches available in the current regulations show only garments without shoulder straps. When searching images of public order officers, uniform garments for the upper body appear to be largely devoid of shoulder straps. Only some examples have been found where public order officer garments have been fitted with shoulder straps.

If the rule that public order officers who are supervisors may carry shoulder markings remains, there is a risk that upper body garments in some cases will be fitted with shoulder straps. It could lead to a greater variation of uniforms, which is undesirable. Introducing a requirement for shoulder straps for all uniform garments currently used by public order officers would mean that existing garments need to be supplemented or replaced with garments with shoulder straps, which would entail costs for the public order officer companies. Section 18 of the Ordinance on public order officers (2023:422) states that the clothing or insignia of public order officers must not give rise to any risk of confusion with police officers, which the introduction of shoulder markings for public order officers could, to a certain extent, contribute to.

The Swedish Police Authority does not see a need for police to introduce rank designations for public order officers in a similar way to the police. Upon collaboration with industry representatives on 22 August 2024, it emerged that the industry also has no need for shoulder straps or shoulder markings on public order officers' uniforms and that the wording on shoulder

marking in the current rules can be deleted. All in all, the Swedish Police Authority considers that shoulder marking as stated on the first page of Annex 4 to the current regulations do not fulfil any function and can therefore be removed.

4.2.3.5 Function designations subject to clarification or adjustment

Corporate emblems

The rules on corporate emblems in the current regulations are unclear. The Swedish Police Authority clarifies in the proposal that corporate emblems should be worn by public order officers operating a security company. 'Security company' means such an undertaking as referred to in Section 1 of the Act (1974:191) on security companies. The emblem shall indicate the company where the public order officer in question is employed. The emblem shall be worn on both sleeves. This is in order to make it easy to discern at which company the wearer is employed. For public order officers who are not active at security companies, the emblem shall be allowed but not mandatory to wear.

Badge (military clip) for public order officers

The current rules on name badges and badges can be interpreted as follows.

- The name badge *shall* be provided with the name of the public order officer.
- Public order officers who *do not* have supervisory duties or assignments may not state their function or assignment on the name badge.
- It is up to the public order officer or the company to decide when to use a badge.

A badge refers to what is commonly known as a military clip, i.e. a metal or plastic badge measuring approximately 8 times 3 cm wide, which is commonly used in many professions, such as the military and healthcare. Such a badge should not be designated in the regulations as a name badge, but should *only* be designated as a badge. This is in order not to lead the reader to believe that the name is mandatory information on a badge. Other badges are not used as insignia for public order officers (but are used for police officers), so there is no risk of confusion.

The main purpose of the badge should be to show the function of the public order officer in question, such as the work or group leader. Indicating the name should not be mandatory for safety reasons but should be possible for those wishing to do so.

In the proposal for revised regulations on uniform garments, the Swedish Police Authority proposes changing what is described in the current regulations as a 'name holder' on upper body garments to 'badge holder' (see Section 4.2.2.1 above).

Taken together, the adjustments proposed would contribute to the principle that the right breast should display details of certain functions and possibly names.

Armbands

Armbands were discussed with industry representatives at the hearing on 22 August 2024. The wish expressed at that time was that it should be a requirement for armbands to be worn together with a high-visibility vest and that they should only be worn when several public order officers work together. The need to have armbands on one or both arms was discussed and neither the industry nor the Swedish Police Authority sees the need to require armbands to be worn on both arms.

Provisions on armbands, which were previously included in running text of the introductory part of Annex 4, have been added to the table in connection with other insignia. The rules have been clarified and a clarification has been made that the wearing of an armband may only take place when three or more public order officers work together. The reason for this restriction is that the Swedish Police Authority considers that there is no need to indicate a supervisor or location manager among public order officers who do not work in a group.

Furthermore, it is proposed that armbands may be provided either with the text 'Location Manager' (which can be used by the highest public order officer at the location or at the operation) or the text 'Team Leader' (which should be able to be used by the public order officer leading a group of public order officers). If many public order officers work in an operation, there may be a need to divide these into several groups and then have several group leaders who are subordinate to a location manager. The basic rule is that wearing armbands should be voluntary, but the police may, by virtue of their management right, require that armbands are worn in connection with certain operations where police and public order officers work together, for example in the case of high-risk matches.

4.2.3.6 Introduction of new insignia for principals

The Swedish Police Authority has drawn attention to the need to identify the principal for which a public order officer works. This is expressed by the fact that some principals have developed badges ('military clips') with the principal's logo or name that public order officers wear. The Swedish Police Authority wishes to enable a unitary placement of such insignia for public order officers. However, a badge should not be used for information on the principal, as the name or logo of the principal *together* with certain function designations on the badge may send incorrect signals (e.g. a municipal logo together with the function designation 'Supervisor', as it could appear that the public order officer in question is a supervisor within the municipality).

The Swedish Police Authority therefore suggests that principals can be indicated on their own operation emblem, which is worn below the company em-

blem. If the public order officer in question does not operate at a security company, and therefore does not bear the company emblem, the emblem of the operation may instead be worn under a sleeve emblem.

4.2.3.7 Insignia that has been considered

A new transport qualification insignia for those who have completed training and have access to approved transport vehicles has been considered. The Swedish Police Authority, together with representatives of the industry, considers that there is no need to introduce any kind of insignia for those who have received training for the transport of persons who have been detained. It should be possible to demonstrate the information on which a public order officer is authorised to transport detainees in other ways, e.g. through the development of Nova (the Swedish Police Authority's IT system for reporting, etc. for public order officers). The Swedish Police Authority also considers that the limited duration of training in this case does not justify a training insignia.

4.3 Chapter 3 Assistive devices for the use of force

4.3.1 Requirement that certain equipment be carried in an equipment belt or waistband

There is no requirement in current regulations for certain equipment to be carried in equipment belts or waistbands. In the course of the training given to public order officers in the use of batons, the training is based on the assumption that it is carried at the waist. If the baton is carried in any other way, the public order officer will not be able to use the assistive device in the most optimal way given how its use has been practised during training.

It has been submitted to the Swedish Police Authority that the equipment that public order officers are to carry in equipment belts or waistbands becomes too heavy. In regards to this, the Swedish Police Authority would like to point out that the requirements for equipment to be attached specifically to equipment belts or waistbands are limited, as this requirement only covers batons (500-600 grams). Most public order officers also carry handcuffs (200-300 grams) in equipment belts or waistbands. Holsters or holders for these two assistive devices for the use of force are estimated to weigh less than 100 grams. Overall, therefore, requirements are imposed on the carrying of equipment in equipment belts or waistbands corresponding to a weight of less than one kilogram.

In addition to the items the Swedish Police Authority requires to be worn in equipment belts or waistbands, other equipment that a public order officer may need, but where the public order officer may choose how it is carried, shall be added. Examples of such equipment are pocket lamps, multi-tools, gloves and communication equipment. The latter is favourably borne on the front of the shoulder for the best communication opportunity. By comparison, the police torch weighs just over 200 grams, the multi-tool approximately 200 grams and gloves about 100 grams. All these equipment items may be

worn in, for example, trouser leg pockets as an alternative to carrying in equipment belts or waistbands, if preferred by the public order officer.

The Swedish Police Authority considers that the combined weight of the equipment to be worn under the proposal does not justify the development of a special equipment vest or to allow the carrying of assistive devices for the use of force in a more flexible manner (see also Section 4.3.2.4).

4.3.2 Batons for public order officers

4.3.2.1 Current regulations

Chapter 9, Section 2 of the current regulations states that public order officers must be equipped with batons. Furthermore, Chapter 9, Section 4 states that only batons that meet the requirements of Annex 5 may be carried and used. The design of batons is also set out in Annex 5 to the current regulations. It states that both rubber batons and expandable batons may be carried by public order officers.

4.3.2.2 The Swedish Police Authority's proposal and assessment

The rules on batons are set out in the proposal in Chapter 3, Sections 1 and 2. The rules have been clarified linguistically and the following changes have been made.

In the new proposal, rubber baton has been deleted. Rubber batons are no longer part of the police's basic equipment, as they have been deemed impractical for use in the field. Only expandable batons are permitted for the police. For the same reason, the rules on rubber batons are removed from the regulations on equipment for public order officers.

A minimum size of 40 cm length for batons is introduced. This is considered reasonable for the use of the baton with the expected effect. 40 cm is also the minimum length for batons which the Swedish Police Authority procures for police officers.

4.3.2.3 Baton technical standard

Chapter 3, Section 2.9 proposes that batons for public order officers must meet the strength requirements set out in technical guidelines for batons developed by the police authorities in Germany.⁵ The current guidelines are used by police authorities in several countries within and outside the EU when procuring batons.

When procuring batons to the Swedish police, these guidelines are supplemented with relatively extensive case tests of batons frozen to -30 degrees (which is not included in the German guidelines). The Swedish Police Au-

⁵See Chapter 3 of Technische Richtlinie Einsatzstöcke, Kurtz und lang 4/2006, https://www.dhpol.de/microsite/pti/medien/downloads/richtlinien/technische-richtlinien/einsatzstock/TR-Einsatzstock_04-2006.pdf

thority considers that requirements for such tests for batons for public order officers would be too far-reaching.

The Swedish Police Authority considers that anyone who procures equipment in the security industry, as well as the individual public order officers purchasing their own equipment, should be able to comply with the requirements of the regulations by referring to the specified standard, even though the standard is not translated into Swedish.

4.3.2.4 New rules on baton holsters

Chapter 3, Section 3 proposes a rule clarifying that batons are to be carried in baton holsters attached to an equipment belt or waistband at the waist. The rule is new, but it is consistent with the way in which the use of batons is taught during training for public order officers.

In Chapter 3, Section 4, provisions are proposed for baton holsters. The reason for the proposal is that the holster has an important function in the use of the baton. When baton technique is taught to public order officers, it is assumed that the holster shall be of a certain design to facilitate grip, deployment, etc. The proposed regulations intend to support the technique and handling that is being taught.

It is proposed to provide that a baton shall be carried in a holster and that the holster shall be attached to an equipment belt or waistband permitted by the regulation. The reason for clarifying how the baton should be carried is that it has been brought to the attention of the Swedish Police Authority that the baton is sometimes carried in other ways. If the baton is carried in a way other than at the waist, the techniques taught during the training for public order officers risk becoming inapplicable, which suggests that it should be clarified that the baton must be carried in an equipment belt or waistband around the waist (see also Section 4.3.1).

4.3.3 Handcuffs for public order officers

4.3.3.1 Current regulations

Chapter 9, Section 2 of the regulations currently in force states that a public order officer must be equipped with handcuffs. Section 3 of the same chapter states that handcuffs must be of metal such as those assigned by the Swedish Police Authority to police officers. It is also stated that, under the guidance of and in cooperation with the police, however, public order officers may use other types of handcuffs if these have been assigned by the police during special operations.

4.3.3.2 The Swedish Police Authority's proposal and assessment

Chapter 3, Section 5 states that a public order officer may only use handcuffs that comply with the requirements of subsequent provisions. The second paragraph of the same provision provides for exceptions to the general rule so

that, under certain circumstances, public order officers may also use other types of handcuffs. Section 6 of the proposal specifies how handcuffs are to be designed. The Swedish Police Authority considers that a more precise regulation of handcuffs for public order officers is justified, inter alia, in order to comply with the requirements of EU Directive 2015/1535⁶. The current rules should therefore be supplemented with a reference to the international standard for metal handcuffs, NIJ Standard 0307.01, which is described in more detail in the next paragraph.

4.3.3.3 Technical standard for metal handcuffs

There is no standard in the EU for handcuffs.⁷ Nor does a search for handcuffs or similar concepts in the Swedish Institute for Standards (SIS) show that there is any current standard for handcuffs that should be applied in Sweden. In the Swedish Police Authority's procurement of handcuffs, the technical requirements specification is largely based on a US standard from the National Institute of Justice.⁸ This standard for metal handcuffs is deemed to be readily available, widely distributed and well established. The standard is called NIJ Standard 0307.01 and Chapter 4 of the document contains technical requirements for metal handcuffs. Chapter 5 of the document describes test methods to verify compliance with the technical requirements.

The Police Authority considers that those who procure equipment in the security industry, as well as individual public order officers who purchase their own equipment, should be able to meet the requirements of the regulations by referring to the specified standard, even though the standard has not been translated into Swedish.

4.4 Chapter 4 Other equipment

4.4.1 Safety helmets

Chapter 4, Section 1 of the proposal corresponds to the provisions of Chapter 9, Section 12, second paragraph of the current regulations. It states that protective helmets must be blue and of the kind assigned by the Swedish Police Authority to public order officers. The proposal states that safety helmets shall be marked with a unique identification number. The Swedish Police Authority does not specify in more detail in the regulations how the labelling is to be designed. Instead, it will be up to the public order officer companies to take charge of identification number systems themselves, so that the system enables the individual identification of public order officers.

The Swedish Police Authority considers that it is justified to regulate the colour and identification number of safety helmets for public order officers.

⁶ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

⁷ <https://www.cencenelec.eu/>

⁸ National Institute of Justice, NIJ Standard for Metallic Handcuffs NIJ Standard 0307.01, US Department of Justice 1982, <https://www.ojp.gov/pdffiles1/nij/082981.pdf/>

This is because the helmet is worn visible and forms part of the public order officer's uniform. The identification number rule is new and the purpose of the rule is that it should be possible to identify individual public order officers in connection with operations in which several public order officers participate.

The regulations on safety helmets allow the helmet to meet the requirements of EU Directive 2015/1535⁹, i.e. the requirements laid down by the Swedish Police Authority when procuring helmets for its staff. This means that protective helmets must be provided with visors and neck protectors and comply either with the requirements of the PSDB Protective Headwear Standard for UK Police¹⁰, or alternatively with the requirements for protective helmets set out in the Technische Richtlinie für ein modular aufgebautes System – Schutzhelm, Hör-/Sprechgarnitur, Atemschutzmaske 2011 developed by the police authorities in Germany¹¹.

The Swedish Police Authority has considered regulating technical requirements for safety helmets in the regulations, but has found this to be inappropriate in a weight of evidence assessment. This is because occupational safety and health is the responsibility of the employer of the public order officer and not of the Swedish Police Authority (except if the public order officer is employed by the Swedish Police Authority). By means of regulations, the Swedish Police Authority shall enable the employer of the public order officer to take responsibility for his or her work environment, without taking over this responsibility (see further Sections 1.4 and 4.6.1).

Rules on when protective helmets may be worn will be specified in the other regulations for public order officers, i.e. not in this proposal for a regulation on equipment for public order officers, where only the design of the equipment is regulated.

4.4.2 Other equipment that is not regulated

In addition to the equipment regulated by the regulations, public order officers also use certain other equipment such as mobile phones, flashlights, keys, pens and the like. The Swedish Police Authority does not intend to regulate equipment in these regulations which cannot be considered to constitute a uniform or uniform parts or used as an assistive device in the use of force. Public order officers in the performance of their duties can carry such unregulated equipment to the extent that can be considered reasonable for the pur-

⁹ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

¹⁰ PSDB Protective Headwear Standard for UK Police (2004); https://ped-cast.homeoffice.gov.uk/standards/21-04_PROTECTIVE_HEADWEAR_STANDARD_FOR_%20POLICE_LOW_RES.pdf

¹¹ Technische Richtlinie für ein modular aufgebautes System- Schutzhelm, Hör/Sprechgarnitur, Atemschutzmaske, https://www.dhpol.de/microsite/pti/medien/downloads/richtlinien/technische-richtlinien/einsatzhelm/TR-Einsatzhelm_02-2011.pdf

pose of carrying out their duties and in accordance with any other regulation for such equipment.

4.5 Tools that are removed

Chapter 9, Section 5 of the current regulations states that the Swedish Police Authority may make a special decision to allow a public order officer the right to use a dog under certain conditions. This possibility is removed from the proposal.

There are several reasons for removing these rules. In particular, dogs are used by other security guard categories that are more likely to work alone in places and times where other people rarely stay and therefore have a different need for self-protection than those that public order officers have. Public order officers have a different assignment than e.g. patrol guards and are to serve among the public for a purpose of maintaining public order and security. The dog as an aid for the use of force may, in the public order officer's relations with the public, risk having the opposite effect, i.e. that the presence of dog risks escalating an unsafe situation rather than contributing to a more calm and more secure situation. The Swedish Police Authority considers that the dog as an assistive device in the use of force is not proportionate to the duties of public order officers. Dogs should therefore very rarely be a justified assistive device in the use of force for public order officers. There is currently no decision in force by the Swedish Police Authority for public order officers to use dogs. The last decision for public order officers to use dogs was limited in time until 5 November 2024.

The Swedish Police Authority considers that the need for dogs for public order officers is extremely limited or non-existent. Therefore, there is no reason for such rules to be included in regulations on equipment for public order officers.

4.6 Assistive devices regulated in another manner

4.6.1 Protective equipment

In its proposal, the Swedish Police Authority has not regulated matters arising from employers' responsibility for the working environment of employees under the Working Environment Act (1977:1160) and its implementing provisions, as well as EU law in this area. This is because the Swedish Police Authority is not normally the employer of public order officers. In the proposal, the Swedish Police Authority has avoided regulatory duplication of provisions as follows from the above-mentioned statutes and has instead sought to create the conditions for the prescribed equipment for public order officers to be adapted to the rules that follow from employers' occupational safety and health responsibilities for employees.

4.6.2 Firearms

Chapter 9, Section 6 of the regulations in force states that the Swedish Police Authority may take a special decision to grant a public order officer the right to carry firearms for a certain period of time and for a specific operation if there are (inter alia) exceptional reasons. The Swedish Police Authority notes that the current regulations mean that firearms are not included in the basic equipment for public order officers. The Swedish Police Authority has not found reason in this revision to include firearms in the basic equipment either, which is why firearms will not be regulated in this proposal for new regulations on equipment for public order officers. The Swedish Police Authority may review the issue and the need for other armament in the event of heightened preparedness or similar situations

4.7 Assistive devices that have been considered

4.7.1 Pepper spray and electric shock weapons

The current regulations do not regulate pepper spray or electric shock weapons. In the work on draft regulations on equipment for public order officers, the Swedish Police Authority looked at the issue of equipping public order officers with these assistive devices. The reason for this has been that pepper spray and electric shock weapons can be seen as complementary to other assistive devices for the use of force and that the device is used by the police.

Pepper spray and electric shock weapons are treated as firearms and require a licence under the Weapons Act (1996:67). There are no specific provisions for public order officers; instead, the provisions of the Weapons Act for individuals and authorised security companies apply. In addition, a prerequisite for the security company to be able to lend a firearm is that the employed public order officer has been granted a permit to possess such a weapon as a loan. Irrespective of whether or not the public order officer is employed by an authorised security company, it becomes a question of need and appropriateness in the individual case.

According to the assessment of the Swedish Police Authority, there have been no grounds for introducing additional assistive devices for the use of force in the form of pepper spray and electric shock weapons for all public order officers. The demand from the public order officer sector has been and is also limited. At present, there is also a lack of legal conditions to equip all public order officers with these assistive devices. In the light of the above, the Swedish Police Authority therefore does not propose any regulations in this respect.

4.7.2 Shields

The need to lay down in regulations shields for public order officers for use in special operations has been considered. A shield is not a piece of equipment that public order officers have a general need for, which is why it will not be regulated in this draft regulation. The need to equip public order officers with shields on special occasions or operations could be regulated in in-

dividual decisions authorising the use of public order officers. The question of the possible use and need for shields by public order officers will be further investigated and, if necessary, regulated in other regulations for public order officers.

4.7.3 Other body armour

In the preparation of proposals for new regulations, certain other body armour has been considered, such as upper body protection, bone plates, and knee protectors. Allowing such equipment to be worn outside of permitted uniform garments could give a 'combatant' impression by public order officers, which is not desirable. Furthermore, it would allow for more variability in the wearing of different uniform items, which would defeat the purpose of having a uniform. However, the Swedish Police Authority considers that it may be possible to wear such equipment *under* permitted uniform garments to the extent that it is needed. Regulations on such protective equipment are therefore not needed. The Swedish Police Authority considers that protective equipment is regulated differently and that the current regulations should not double regulate such equipment, as developed in Section 4.6.1 above.

4.8 Chapter 5 Vehicles for the transport of detained persons

4.8.1 Current regulations

According to Chapter 9, Section 13 of the current regulations, vehicles used for the transport of a detained person must be equipped with:

- protection preventing visibility through vehicle windows into the space where the detained person is placed during transport;
- protection to prevent the detainee from damaging or otherwise physically disturbing the driver of the vehicle during transport;
- first aid equipment

In addition, grab handles shall not be located at the place in the vehicle where the detainee is placed. If the detainee is placed at a door in the vehicle, it shall not be possible to open the door from within.

4.8.2 The Swedish Police Authority's proposal and assessment

Proposed new regulations on vehicles for transport mean that a clarification has been added to Section 1 of the proposal regarding which vehicles are referred to with reference to the definition of passenger car class 1 in Section 2 of the Road Traffic Definitions Act (2001:559). Thus, for the purposes of the regulation, 'passenger car' means a car which has no more than eight seats in addition to the driver's seat and is established principally for the carriage of passengers.

Section 2 proposes that vehicles for transport shall meet emission class Euro 6 in accordance with Section 30 of the Exhaust Emission Control Act (2011:318) and a certain safety class (Euro Ncap class 5) in order to be used

for the transport of detained persons. Since it is possible to introduce environmental zones that entail restrictions on the driving of passenger cars with certain emission classes, the Swedish Police Authority considers that the requirement for emission class Euro 6 is justified. This is so that vehicles for the transport of detained persons have guaranteed access to at least environmental zone 2. There is currently a designated environmental zone class 3 in a restricted area in the inner city of Stockholm.¹² Environmental zone class 3 imposes the highest requirements on which vehicles may travel in the zone and means that only pure electric vehicles, gas vehicles with emission class Euro 6 and fuel cell vehicles are allowed. The Swedish Police Authority considers that such requirements for transport vehicles cannot be justified in this case. The reason for imposing requirements for the classification of vehicles for transport is that transport of detained persons shall be carried out in vehicles of good safety standards.

Furthermore, Section 3 proposes rules that transport vehicles shall be marked externally with, among other things, a clearly visible logo of the public order officer company that carries out the transport and the word 'public order officer'. The second paragraph states that licence holders for whom the transport is carried out, such as a municipality, may also be indicated on the vehicle. A limitation on the size of such labelling has been introduced following the referral of the proposal. The purpose of setting requirements for external marking of transport vehicles is to avoid concerns or misunderstandings that may arise if a detainee is brought into an unmarked car. The police authority considers that most of the vehicles used by public order officer companies already have such markings, as there are already other interests in making it visible to companies that may be considered for the transport of detained persons. The cost of such labelling is therefore considered to be limited for the companies that may be affected.

The provision in Section 4 on visibility protection has been specified to clarify how visibility protection should be designed and installed. The purpose of the rule is to protect the privacy of the detained person.

The provision on grab handles in Section 5 remains unchanged compared to the regulations in force. The purpose of the provision is to reduce the risk that the person being transported may push against the grab handle to kick or pry themselves free during transport. Grab handles can be easily dismantled and replaced by a simple model plate in order to reduce the risk of sharp or protruding parts remaining where the handle has previously been mounted. The cost of this modification is considered to be limited.

The provision in Section 6 that the door of a transport vehicle in which the detained person is located shall not be possible to open from the inside shall be the same as that of the regulations in force.

The provision stipulating that vehicles must be equipped with protection to prevent the detained person from injuring or otherwise physically interfering

¹² <https://trafik.stockholm/trafiksakerhet-trafikregler/miljozoner/miljozon-klass-3/>

with the driver of the vehicle during transport is found in Chapter 9, Section 13, second paragraph, of the current regulations. In the Swedish Police Authority's assessment¹³ of whether it is appropriate for public order officers to carry out a transport, the Swedish Police Authority will require that there should always be two public order officers in the transport of detained persons in order for the transport to be considered appropriate to execute. The rule is intended to protect the driver of the vehicle during ongoing transport. The rules on kick guards have been specified in Section 7 of the draft regulations. The first paragraph states that kick guards must be fitted in vehicles where the person being transported is placed in the first seat row directly behind the driver's seat. Thus, in the case of transport in what is referred to as 'minibuses', where the detained person is placed in the rearmost row of seats, the transport vehicle does not need to be fitted with a kick guard. Furthermore, the proposal for Section 7 sets out a number of requirements on the mounting and design of the kick guard. The requirements are based on how equivalent protection is designed for police vehicles. The Swedish Police Authority considers that a kick guard that meets the requirements should be capable of being manufactured and assembled without excessive knowledge or costs.

The requirement in Section 7.6 corresponds to the requirements of Regulation No 21 of the United Nations Economic Commission for Europe (UN/ECE) – Uniform provisions concerning the approval of motor vehicles with regard to their interior fittings.

With the clarifications proposed in Section 7, the Swedish Police Authority considers that the current requirement in Chapter 9, Section 14, that vehicles for the transport of detained persons must be approved by the Swedish Police Authority, can be deleted. The compliance of transport vehicles with the requirements of the regulations can instead be assessed in the context of supervision.

It follows from Section 8 of the proposal that transport vehicles must be equipped with first aid equipment, which is a requirement in Chapter 9, Section 13, third indent of the current regulations. The second paragraph specifies the minimum equipment to be included in first aid equipment.

4.9 Chapter 6 – Exemptions

The provision on the possibility of granting an exemption is amended in such a way that an exemption decision does not have to be preceded by an application. The Swedish Police Authority may therefore decide on its own initiative to derogate from the regulations.

If there is a need to decide on exemptions, the need for the exemption should be weighed up against the effect of the deviation from the provisions that the exemption entails. Any decisions on exemptions should be well justified and clearly indicate any other solution that may be required to compensate for the

¹³LOB Section 10, PL Section 29

exemption. However, these justification requirements already apply under the current regulations and therefore do not entail any substantive changes.

4.10 Transitional provisions

The Swedish Police Authority proposes a transitional provision stating that decisions on exemptions from the Swedish Police Authority's regulations and general advice (PMFS 2017:12) on public order officers in respect of the bearing of uniform or other equipment shall continue to apply until the expiry date specified in the decision. Furthermore, a longer time limit is proposed as to whether the decision on exemption is not limited in time. In such cases, exemption decisions shall apply until the end of 2027.

The Swedish Police Authority considers that an exemption decision is a positive administrative decision and that such a decision may only be amended if certain conditions are met in accordance with the second paragraph of Section 37 of the Administrative Procedure Act. In the present case, it is not an amendment of an administrative decision in an individual case, but the adoption of new regulations. The Swedish Police Authority is authorised to prescribe equipment. The transitional provision regulates previously granted exemptions from wearing or not wearing equipment and uniforms in a certain way. Decisions that have no time limit (which is considered to be a very limited number) are given a clear end date, which gives the individual the opportunity to prepare for this. The affected party is given sufficient time to apply for a new exemption if desired. In conclusion, the Swedish Police Authority considers that the proposed transitional provision is not disproportionate.

5 Costs

5.1 Calculation of the costs and revenues of the proposal

According to Section 7, first paragraph, point 1 of the Ordinance on impact assessments, an impact assessment must include an estimate of the costs and revenues of the proposal for the State, municipalities, regions, companies and other individuals.

5.2 Costs for the State

Salary and administrative costs for handling cases concerning the approval of vehicles for the transport of detained persons will disappear with the removal of the requirement for approval of vehicles for the transport of detained persons. The processing of these cases has not involved any fee for the applicant. The costs incurred by the Swedish Police Authority in handling this category of cases have therefore been charged to the Authority's framework appropriation. This is not a large case category within the Swedish Police Authority, but clearer rules on what requirements are imposed on transport vehicles still mean a certain increase in efficiency of the Authority's case processing.

In the long term, the clarification of regulations on equipment for public order officers entailed by the proposal should reduce the need for guidance as to which equipment is permitted. An example of this is clarifications on the carrying of batons as well as the introduction of rules on baton holsters. The Swedish Police Authority has received recurrent questions about this. The same applies to what is referred to as wearing regulations for uniform garments, which have been clarified where the Swedish Police Authority feels that there has been some ambiguity. With clearer rules, the number of questions about such details of the equipment should be reduced, which could eventually free up human resources at the Swedish Police Authority. However, it is not possible to assess the extent to which this may actually lead to a saving in the present situation.

No other costs, savings or revenues for the State have been identified in the work on proposals for new regulations on equipment for public order officers.

5.3 Costs for municipalities and regions

No costs for municipalities or regions have been identified in the work on the preparation of proposals for new regulations for equipment for public order officers, except in the few cases where municipalities have their own employees. In such cases, the proposal entails the same costs for these municipalities as for businesses and individuals as described in Section 5.4.

5.4 Costs for companies and individuals

The costs for companies and individuals are based on the proposed changes compared to the current regulations.

Only marginal changes are proposed for uniforms for public order officers. Above all, the regulations have undergone linguistic revision in order to clarify requirements for the wearing of different uniform garments. A new garment is introduced (blue shirt), though without the requirement that this garment be worn in certain given situations. The new garment should thus be seen as a possible complement to other already permitted garments. Overalls are deleted as a uniform garment, which may involve a cost for a few individual public order officers using the garment. However, transitional arrangements allow the use of overalls until 2027, which is deemed to be a reasonable transitional period for all public order officers to be able to plan for and carry out the purchase of garments that replace overalls. In all, costs for companies and individuals are assessed as extremely limited.

The rubber baton is deleted as an assistive device in the use of force. The few public order officers still using rubber batons will need to invest in a new expandable baton. The cost of purchase is estimated at between SEK 1,000 and 2,000 for one baton.

New rules for baton holsters are introduced. The Swedish Police Authority considers that the majority of the public order officers already have baton

holsters that meet the requirements of the proposal. This is because a baton holster is a prerequisite for carrying the baton while on duty, if it is to be used in the manner taught during training. The proposal to introduce rules for baton holsters is therefore not considered to entail any significant cost for companies or individuals.

Requirements for the adaptation of vehicles for the transport of detained persons were introduced in the last revision of the current regulations. The proposed amendments concerning the adaptation of transport vehicles do not entail any additional requirements compared with the current regulations, apart from the requirement for external marking. They merely clarify and specify what has already been regulated. Those who will carry out the transport of detainees will incur the cost of equipping vehicles in accordance with the requirements laid down in draft regulations. The Swedish Police Authority considers that it is not possible to calculate the exact costs of such equipment. In addition, it is not possible to calculate how many security companies or companies employing public order officers will carry out transport operations or how many vehicles need to be equipped. This is because it is not yet known what needs or demand for transport capacity will exist in the long term.

6 Assessments

Sections 8-10 of the Ordinance on impact assessments state that an impact assessment shall contain certain specified assessments.

6.1 Assessment of whether the proposal restricts municipal self-government

If the proposal concerns municipalities or regions, the impact assessment shall, in accordance with Section 8 of the Ordinance on impact assessments, contain an assessment of whether the proposal or decision restricts the municipal self-government.

The Swedish Police Authority notes that the proposal does not regulate activities where municipalities or regions are the principal. The Swedish Police Authority considers that the proposal does not restrict the municipal self-government. This is because the proposal does not involve any regulation that affects municipal self-government.

6.2 Conformity of the proposals with international or EU standards

Chapter 2, Section 5 of the proposal regulates the colour of uniform garments for public order officers. The proposal describes colours using what is known as NCS¹⁴ codes. NCS stands for Natural Color System and is an international standard to describe colours.¹⁵

¹⁴ Natural Color System

Chapter 3, Section 2.9 proposes that batons for public order officers must meet the strength requirements set out in technical guidelines for batons developed by the police authorities in Germany.¹⁶ The current guidelines are used by police authorities in several countries within and outside the EU when procuring batons.

Chapter 3, Section 6 proposes, inter alia, that handcuffs comply with the requirements of Chapters 4 and 5 of the NIJ Standard 0307.01, which is a US standard of the National Institute of Justice.¹⁷ There is no standard in the EU for handcuffs.¹⁸ Nor does a search for handcuffs or similar concepts in the Swedish Institute for Standards (SIS) show that there is any current standard for handcuffs that should be applied in Sweden. In the Swedish Police Authority's procurement of handcuffs, the technical requirements specification is largely based on the US standard from the National Institute of Justice. This standard for metal handcuffs is deemed to be readily available, widely distributed and well established. The standard is called NIJ Standard 0307.01 and Chapter 4 of the document contains technical requirements for metal handcuffs. Chapter 5 of the document describes test methods to verify compliance with the technical requirements.

All standards stated in the draft regulations on equipment for public order officers have been developed and used within the EU or internationally. The standards are also used by the Swedish Police Authority when procuring its own equipment. The Swedish Police Authority considers that those who procure equipment in the security industry, as well as individual public order officers who purchase their own equipment, should be able to meet the requirements of the regulations by referring to the standards specified in the proposal, even though the standards have not been translated into Swedish. All in all, this means that the Swedish Police Authority assesses that draft regulations meet EU law requirements on standards. In the opinion of the Swedish Police Authority, the regulation does not conflict with the obligations which result from Sweden's accession to the European Union.

6.3 Assessment of the proposal's conformity with EU law

According to Section 9 of the Ordinance on impact assessments, an assessment must be made of whether the proposal or decision complies with or goes beyond the obligations arising from Sweden's accession to the European Union. Section 10 of the same regulation stipulates that if a proposal to implement an EU directive into national law goes beyond the minimum requirements of the directive, the reasons for this must be stated.

¹⁵Swedish Institute for Standards, <https://www.sis.se/nyheter-och-press/nyheter/ncs-atlas-reviderad--kompletterad-med-lagkulorta-farger/>, accessed 10 May 2024.

¹⁶See Chapter 3 of Technische Richtlinie Einsatzstöcke, Kurtz und lang 4/2006, https://www.dhpol.de/microsite/pti/medien/downloads/richtlinien/technische-richtlinien/einsatzstock/TR-Einsatzstock_04-2006.pdf

¹⁷National Institute of Justice, NIJ Standard for Metallic Handcuffs NIJ Standard 0307.01, US Department of Justice 1982, <https://www.ojp.gov/pdffiles1/nij/082981.pdf/>

¹⁸<https://www.cencenelec.eu/>.

The Swedish Police Authority deems the proposal to be in line with the obligations arising from Sweden's accession to the European Union. This is because technical regulations are subject to a notification procedure resulting from Sweden's membership of the EU.¹⁹

The Swedish Police Authority considers that the proposal does not entail the implementation of EU directives.

6.4 Assessment of the effects of the proposal on public expenditure

According to Section 14 of the Ordinance (2024:183) on impact assessments, the authority that intends to decide on regulations must obtain the Government's approval to decide on the regulations if they are deemed to have a significant impact on costs for the State, municipalities or regions.

The Swedish Police Authority considers that the proposed regulations have a very limited impact on costs for the State, municipalities or regions. The currently proposed regulations do not differ significantly from what is already permitted in terms of equipment for public order officers.

7 Other impacts

7.1 Description of other relevant impacts

According to Section 7, first paragraph, point 2 of the Ordinance on impact assessments, an impact assessment shall contain a description and, where possible, an estimate of other relevant impacts than those specified.

The Swedish Police Authority has not identified any relevant costs arising from the proposal other than those described in Section 5 above when reviewing regulations on equipment for public order officers.

7.2 Restrictive measures

According to Section 7, first paragraph, point 3 of the Ordinance on impact assessments, an impact assessment shall contain an account of the measures taken to ensure that the proposal does not entail costs or restrictions that go beyond what is deemed necessary to achieve the objective.

The Swedish Police Authority considers the limited costs that the proposals entail and which are presented in Section 5 above to be relevant and proportionate to the purpose of the provisions. Having more permissive or flexible rules, for example, on assistive devices for the use of force does not appear proportionate to the responsibilities and powers of public order officers. More permissive or flexible rules for such assistive devices would also entail risks for citizens and public order officers that could lead to a risk of loss of trust

¹⁹ Ordinance (1994:2029) on Technical Rules.

in public order officers and ultimately risk confidence in law enforcement authorities.

7.3 Time of entry into force

According to Section 7, first paragraph, point 4 of the Ordinance on impact assessments, an impact assessment shall include an assessment as to whether special consideration needs to be taken regarding the date of entry into force.

The Swedish Police Authority considers that this draft regulation should enter into force at the same time as other regulations for public order officers. The review of the remaining parts of the regulations for public order officers has started and will be intensified by the referral of this proposal. Since this draft regulation contains such technical rules that need to undergo the notification procedure resulting from Sweden's membership of the EU²⁰, there will be time to prepare the other parts of regulations for public order officers for the time required for the aforementioned notification procedure. In conclusion, it will mean that both new regulations on equipment for public order officers and the remaining parts of regulations for public order officers can enter into force at the same time. The Swedish Police Authority considers that the regulations can enter into force on 1 December 2025.

7.4 The need for special information initiatives

According to Section 7, first paragraph, point 4 of the Ordinance on impact assessments, an impact assessment must include an assessment of whether there is a need for specific information measures.

The Swedish Police Authority will inform about decisions on new regulations through the developed information channels available in this area, for example by updating information at polisen.se. Relevant authorities and industry organisations will be informed within the established cooperation forums. Overall, the Swedish Police Authority considers that there is no need for specific information measures in addition to the above.

7.5 Evaluation of the impact

According to Section 7, first paragraph, point 5 of the Ordinance on impact assessments, an impact assessment shall contain a description of how and when the consequences of the proposal can be evaluated.

The impact of the proposal may be evaluated at the cooperation meetings held annually between representatives of the security industry, the county administrative boards and the Swedish Police Authority.

²⁰ Ordinance (1994:2029) on Technical Rules.

Annex, referral list

The following authorities, companies and organisations have been given the opportunity to comment on the proposal.

Swedish Work Environment Authority
Swedish National Courts Administration
National Board of Trade
County Administrative Board of Stockholm
County Administrative Board of Skåne
County Administrative Board of Norrbotten
County Administrative Board of Västra Götaland
County Administrative Board of Dalarna
County Administrative Board of Västernorrland
County Administrative Board of Östergötland
Swedish Civil Contingencies Agency
Swedish Patent and Registration Office
Swedish Better Regulation Council
Swedish National Archives
Swedish Security Service
Swedish Transport Agency
Finnish Transport Administration

Occupational Health and Safety Board of the Security Industry
Swedish Transport Workers' Union
Security sector
Security companies
Sweden's municipalities and regions
Swedish Security Companies Association
Transport companies