



THE FOUNDATION FOR DEMOCRATIC ADVANCEMENT

Electoral Fairness Research

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Information Sources:

ACT 2005-06-17 no. 102: Act on certain aspects relating to the political parties (The Political Parties Act)

Act of 19 June 1970 No. 69 relating to public access to documents in the public administration as subsequently amended, most recently by Act of 20 June 2003 No. 45 (short title: Freedom of Information Act)

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Norwegian Ministry of Local Government and Regional Development
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Report (22-25 June 2009)

Representation of the People Act (*2002 as amended 2003*)

Sami Act

The Constitution of the Kingdom of Norway (The Constitution, as laid down on 17 May 1814 by the
Constituent Assembly at Eidsvoll and subsequently amended, most recently on 2 February 2006)

The Media Ownership Act

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Political Background on Norway

The Constitution of the Kingdom of Norway

The Constitution, as laid down on 17 May 1814 by the Constituent Assembly at Eidsvoll and subsequently amended, most recently on 2 February 2006

1. A. FORM OF GOVERNMENT AND RELIGION

Article 1

The Kingdom of Norway is a free, independent, indivisible and inalienable Realm. Its form of government is a limited and hereditary monarchy.

Article 2

All inhabitants of the Realm shall have the right to free exercise of their religion.

The Evangelical-Lutheran religion shall remain the official religion of the State. The inhabitants professing it are bound to bring up their children in the same.

2. B. THE EXECUTIVE POWER, THE KING AND THE ROYAL FAMILY

Article 3

The Executive Power is vested in the King, or in the Queen if she has succeeded to the Crown pursuant to the provisions of Article 6 or Article 7 or Article 48 of this Constitution. When the Executive Power is thus vested in the Queen, she has all the rights and obligations which pursuant to this Constitution and the Law of the Land are possessed by the King.

Article 4

The King shall at all times profess the Evangelical-Lutheran religion, and uphold and protect the same.

Article 5

The King's person is sacred; he cannot be censured or accused. The responsibility rests with his Council.

Article 6

The order of succession is lineal, so that only a child born in lawful wedlock of the Queen or King, or of one who is herself or himself entitled to the succession, may succeed, and so that the nearest line shall take precedence over the more remote and the elder in the line over the younger. An unborn child shall also be included among those entitled to the succession and shall immediately take her or his proper place in the line of succession as soon as she or he is born into the world. The right of succession shall not, however, belong to any person who is not born in the direct line of descent from the last reigning Queen or King or a sister or brother thereof, or is not herself or himself a sister or brother thereof.

When a Princess or Prince entitled to succeed to the Crown of Norway is born, her or his name and time of birth shall be notified to the first Storting in session and be entered in the record of its proceedings.

For those born before the year 1971, Article 6 of the Constitution as it was passed on 18 November 1905 shall, however, apply. For those born before the year 1990 it shall nevertheless be the case that a male shall take precedence over a female.

Article 7

If there is no Princess or Prince entitled to the succession, the King may propose his successor to the Storting, which has the right to make the choice if the King's proposal is not accepted.

Article 8

The age of majority of the King shall be laid down by law.

As soon as the King has attained the age prescribed by law, he shall make a public declaration that he is of age.

Article 9

As soon as the King, being of age, accedes to the Government, he shall take the following oath before the Storting: "I promise and swear that I will govern the Kingdom of Norway in accordance with its Constitution and Laws; so help me God, the Almighty and Omniscient."

If the Storting is not in session at the time, the oath shall be made in writing in the Council of State and be repeated solemnly by the King at the first subsequent Storting.

3. C. RIGHTS OF CITIZENS AND THE LEGISLATIVE POWER

Article 49

The people exercise the Legislative Power through the Storting, which consists of two departments, the Lagting and the Odelsting.

Article 50

Those entitled to vote in elections to the Storting are Norwegian citizens, men and women, who, at the latest in the year when the election is held, have completed their eighteenth year.

The extent, however, to which Norwegian citizens who on Election Day are resident outside the Realm but who satisfy the aforementioned conditions are entitled to vote shall be determined by law.

Rules may be laid down by law concerning the right to vote of persons otherwise entitled to vote who on Election Day are manifestly suffering from a seriously weakened mental state or a reduced level of consciousness.

Article 51

The rules on the keeping of the electoral register and on the registration in the register of persons entitled to vote shall be determined by law.

Article 57

The number of representatives to be elected to the Storting shall be one hundred and sixty- nine.

Main principles of the Norwegian Electoral System

Direct elections – proportional representation

The Norwegian electoral system is based on the principles of direct election and proportional representation in multi-member electoral divisions. Direct election means that the electors vote directly for representatives of their constituency by giving their vote to an electoral list. Proportional representation means that the representatives are distributed according to the relationship to one another of the individual electoral lists in terms of the number of votes they have received. Both political parties and other groups can put up lists at elections.

Electoral divisions. Number of seats

In the case of parliamentary elections the country is divided into 19 constituencies corresponding to the counties, including the municipal authority of Oslo which is a county of its own. The number of members returned to the Storting is 169. The number of members to be returned from each constituency depends on the population and area of the county. Each inhabitant counts one point, while each square kilometre counts 1.8 points. Of the 169 members returned, 150 are elected as constituency representatives while 19, one seat from each constituency, are elected as members at large.

In the case of local government elections, members are returned to municipal councils and county councils. Each municipal authority area and each county represents one electoral division. The municipal/county council itself lays down the number of members within statutory minimum requirements in relation to the population of the municipal authority area/county. These rules have been incorporated into the Local Government Act.

The electoral term is four years for all elections. Elections to municipal and county councils are conducted at the same time and are held midway in the electoral term of the Storting. Election Day is fixed by the King to a Monday in September, usually in one of the first two weeks of the month.

Legislation

The Constitution has a number of fundamental provisions relating to parliamentary elections. These apply to such matters as the conditions for entitlement to vote and disfranchisement, the number of members of the Storting and the allocation of these to the counties, the method of election, the criteria for eligibility, and review of the validity of the election. The detailed provisions relating to the conduct of elections, to the Storting, to county councils and to municipal councils, are to be found in the Representation of the People Act 2002 (Act No. 57 of 28 June 2002). In addition Regulations have been issued with further provisions in certain areas.

Source: Norwegian Ministry of Local Government and Regional Development

Norway has a modified unicameral Parliament, the [Storting](#) ("Great Council"), with members elected by popular vote for a four year term (during which it may not be dissolved) by [proportional representation](#) in multi-seat [constituencies](#). Suffrage is obtained by 18 years of age; voting rights are granted in the same year as one's 18th birthday.

Stortinget, Oslo

The [Storting](#), currently has 169 members (increased from 165, effective from the [elections of 12 September 2005](#)). The members are elected from the 19 [counties](#) for 4-year terms according to a system of [proportional representation](#). The Storting divides itself into two chambers, the [Odelsting](#) and the [Lagting](#) for the sole purpose of voting on legislation. Laws are proposed by the government through a Member of the Council of State or by a member of the Odelsting and decided on by the Odelsting and Lagting, in case of repeated disagreement by the joint Storting. In modern times, the Lagting rarely disagrees and mainly just [rubber-stamps](#) the Odelsting's decision. In addition, it is considered a [unicameral](#) parliament. In February 2007, the Storting passed a constitutional amendment to repeal the division, which abolishes the Lagting for the 2009 general election. [

Constitutional Development

The [Norwegian constitution](#), signed by the [Eidsvoll](#) assembly on 17 May 1814, transformed Norway from being an [absolute monarchy](#) into a constitutional monarchy. The 1814 constitution granted rights such as freedom of speech (§100) and rule of law (§§ 96, 97, 99). Important amendments include:

- November 4, 1814: Constitution reenacted in order to form a [personal union](#) with the king of [Sweden](#).
- 1851: Constitutional prohibition against admission of [Jews](#) lifted.
- 1884: [Parliamentarism](#) has evolved since 1884 and entails that the cabinet must not have the parliament against it (an absence of mistrust, but an express of support is not necessary), and that the appointment by the King is a formality when there is a clear parliamentary majority. This parliamentary rule has the status of [constitutional custom](#). All new laws are passed and all new governments are therefore formed [de jure](#) by the King, although not [de facto](#). After elections resulting in no clear majority, the King appoints the new government de facto.
- 1887: Prohibition against [monastic](#) orders lifted.
- 1898: Universal male [suffrage](#) established.
- 1905: Union with Sweden dissolved.

- 1913: [Universal suffrage](#) established.
- 1956: Religious freedom formalised. Prohibition against [Jesuits](#) lifted.
- 2004: New provision on freedom of expression, replacing the old § 100.
- 2007: Removed the old system of division into the Odelsting and Lagting (will take effect after the 2009 general election). Changes to the Court of Impeachment. [Parliamentary system](#) now part of the [Constitution](#) (previously this was only a [constitutional custom](#)) (new § 15).

Source: Wikipedia on Politics of Norway

1. Laws and regulations that pertain to the political content of the media and broadcasters before, during, and after an election

Main Research Findings:

Broadcasters are disallowed from broadcasting advertisements which promote a belief system or political ends.

Sponsors of TV and radio programmes must be disclosed to the public.

Norwegian citizens have right of reply opportunities to correct inaccurate information by broadcasters.

The Norwegian state promotes freedom of expression, genuine opportunities to express one's opinions and a comprehensive range of media by media and broadcasters.

Norway's public and private media are not required legally to provide broad and balanced electoral coverage.

The Norwegian state restricts the ownership concentration of media and broadcasters.

1. share of 40% or more control of daily circulation of daily press
2. share of 40% or more of total viewing figures of television
3. share of 40% or more of total listening rating for radio
4. share of 30% or more of one of the above media markets and 20% or more in one of the other media markets.
5. share of 20% or more in the markets above
6. share of 10% or more in one of the media markets and be owner or part owner in the same market of 10% or more (cross-ownership)
7. 60% or more in total circulation of regional press market

Research Excerpts:

Broadcast Act

Chapter 3 Advertising, sponsorship etc

Section 3-1 Duration, content

Advertisements shall in aggregate not exceed 15 per cent of the broadcaster's daily transmission time.

The King may make exemptions from this provision for the broadcasting of information announcements on local television.

Advertisements may not be broadcast in connection with children's programmes, nor may advertisements be specifically directed at children.

Broadcasters may not broadcast advertisements to promote belief systems or political ends on television. This also applies to teletext services.

The King may issue further rules on the transmission, content, scope and supervision of advertising.

Announcements by the broadcaster in connection with his own programmes and ancillary products derived directly from such programmes shall not be included in the maximum amount of daily transmission time reserved for advertising under the first paragraph. The same applies to public service announcements and charity appeals broadcast free of charge.

The King may issue regulations containing further rules on the duration of announcements and items under the fifth paragraph, as well as rules prohibiting the interruption of programmes in order to broadcast other announcements or excerpts from other programmes.

Chapter 5 Rectification

Section 5-1

Any natural or legal person whose rightful interests have been infringed by factually incorrect information presented in a broadcast programme shall be entitled to rectify the assertions made. A claim regarding rectification must be presented to the broadcaster concerned not later than three months from the date on which the programme was broadcast. A claim for rectification may be rejected if endorsing the claim would entail a criminal act or involve the broadcaster in liability.

The right pursuant to the first paragraph applies to broadcasters under Norwegian jurisdiction.

Chapter 10 Penalties, entry into force of the Act etc

Section 10-1 Penalties

A person shall be liable to fines or imprisonment for a term not exceeding six months if he, intentionally or through negligence, grossly or repeatedly infringes the provisions of Section 2-1 first or third paragraph, Section 2-4, Section 2-7, Section 3-1 second paragraph, Section 4-5 first paragraph b) and d), and Chapter 9 or regulations or individual decisions issued under these provisions. Complicity is subject to the same penalties.

Where the infringement has been committed to further the interests of the undertaking, or the undertaking has benefited from the infringement, this should be regarded as an aggravating circumstance for the purpose of sentencing pursuant to the first paragraph.

Infringement or complicity in the infringement of provisions issued in or pursuant to Chapter 9, cf.

Section 10-1 first paragraph, is punishable irrespective of the limitations imposed by Sections 12, 12 a) and 13 first and second paragraphs of the General Civil Penal Code. Only nationals or residents of Norway, Denmark, Finland or Sweden may be held criminally liable for infringement of regulations issued pursuant to Section 9-3.

Infringements of penal provisions in this Section are deemed to be misdemeanours.

Section 10-2 Warning

Where an infringement of this Act or of provisions or conditions laid down pursuant to this Act has been committed, the Norwegian Media Authority may issue a warning to the person responsible for the infringement.

Section 10-3 Financial penalty

The Norwegian Media Authority may upon infringement of the provisions of Chapter 2 and 3 and Section 6-4, Section 8-1 and Section 8-2 or regulations or individual decisions issued under these provisions, impose on the person responsible for the infringement a financial penalty payable to the State, calculated in accordance with further rules prescribed by the King.

The King may issue rules concerning an increased penalty in the event of repeated infringement. The Norwegian Media Authority may in special circumstances waive an imposed financial penalty. Any financial penalty imposed constitutes grounds for execution. The King may issue further rules concerning the implementation of the provisions of this Section, including rules on recovery and time-limits for payment. Payment of interest on a financial penalty may be imposed.

Section 10-4 Coercive fines

In order to ensure compliance with requirements under the provisions of Chapter 2, 3 and 4 and Section 6-4, Section 8-1 and Section 8-2 or regulations or individual decisions issued pursuant to these provisions, the Norwegian Media Authority may impose a coercive fine on the person responsible for compliance.

The coercive fine may be imposed as a cumulative daily penalty or as a lump-sum fine. In the case of a cumulative daily penalty the Norwegian Media Authority may decide that the fine shall start to run either one week after the date of the decision to impose a coercive fine, or as from a date specifically set for compliance with the requirement if this date has elapsed without the requirement being complied with. In the case of a coercive fine in the form of lump-sum fine the Norwegian Media Authority may decide that the fine shall be paid by a date specifically set for compliance with the requirement if this date has elapsed without the requirement being complied with. Coercive fines accrue to the Treasury and constitute grounds for execution.

The Norwegian Media Authority may in special cases reduce or waive an accrued coercive fine. The King may issue further regulations on the imposition of coercive fines, including on conditions for coercive fines and on the size of coercive fines and interest on overdue payments.

Section 10-5 Time-limited prohibition of the broadcasting of advertisements, revocation of licence etc
Where a provision of Chapter 3 or of regulations laid down pursuant to Chapter 3 has been infringed by someone acting on behalf of a broadcaster, the Norwegian Media Authority may prohibit that company from broadcasting advertisements for a time-limited period.

In the event of repeated or serious infringement of this Act or of provisions or conditions laid down pursuant to this Act committed by someone acting on behalf of a person or undertaking that has been granted a licence pursuant to Section 2-1 or Section 2-2, the Norwegian Media Authority may revoke the licence. Such revocation may be time-limited.

The King may issue further rules concerning decisions to prohibit advertising and the revocation of licences, including rules on the broadcaster's duty to provide information.

The Media Ownership Act

Act No 53 of 13 June 1997 relating to media ownership (the Media Ownership Act).

Section 1 Purpose of the Act

The purpose of this Act is to promote freedom of expression, genuine opportunities to express one's opinions and a comprehensive range of media.

Section 9 Intervention against the acquisition of an ownership interest

The Media Authority may intervene against the acquisition of an ownership interest in enterprises that operate daily newspapers, television or radio if the person acquiring the interest alone or in cooperation

with others has or gains a significant ownership position in the national or regional media market, and this is contrary to the purpose set out in section 1 of the Act.

A decision to intervene pursuant to the first paragraph may entail:

- a) prohibiting the acquisition,
- b) ordering the divestment of ownership interests that have been acquired and issuing orders necessary to ensure that the purpose of the divestment order is achieved, or
- c) allowing an acquisition on such conditions as are necessary to prevent the acquisition from conflicting with the purpose set out in section 1 of the Act.

The Media Authority may adopt a temporary prohibition against concluding an acquisition or adopt other measures where there are reasonable grounds for assuming that the conditions for an intervention have been satisfied and the Media Authority considers it as necessary in order to carry out any later decision to intervene.

Prior to carrying out an intervention pursuant to the first subsection, the Authority shall have attempted to reach an amicable solution with the acquirer, or with the person against whom it is intended to intervene.

The Media Authority may intervene against an acquisition by making a decision not later than six months after a final agreement has been entered into concerning the acquisition. If special considerations so warrant, the Authority may intervene within one year of the same date.

The provisions of this section shall apply correspondingly to cooperation agreements giving a contracting party the same or a corresponding influence on the editorial product as an acquisition.

Section 10 National restrictions on ownership

A significant ownership position in the market nationally shall normally be considered to exist:

- a) in the case of control through a share of 40 percent or more of the total daily circulation for the daily press,
- b) in the case of control through a share of 40 percent or more of the total viewing figures for television,
- c) in the case of control through a share of 40 percent or more of the total listening ratings for radio,
- d) in the case of control through a share of 30 percent or more in one of the media markets mentioned in litras a), b) or c), and 20 percent or more in one of the other media markets mentioned in litras a), b) or c),
- e) in the case of control through a share of 20 percent or more in one, 20 percent or more in another and 20 percent or more in a third of the media markets mentioned in litras a), b) or c) or
- f) when an enterprise controlling 10 percent or more in one of the media markets mentioned in litras a), b) or c) becomes owner or part-owner of an enterprise forming part of another grouping controlling more than 10 percent or more within the same media market (cross ownership).

Section 11 Regional ownership restrictions

A significant ownership position in the media market regionally shall normally be considered to exist in case of control through a share of 60 percent or more of the total daily circulation of regional and local newspapers in one media region.

The King shall lay down regulations establishing the media regions.

Section 12 Advance clearance

Any person who has a relevant interest in ascertaining whether an intervention may be carried out against acquisition pursuant to section 9 can notify the Media Authority of the acquisition of an ownership interest before making the acquisition. If the Media Authority does not within 30 days of receipt of the notification give notice that an intervention may be carried out, the Authority may not decide to intervene against the acquisition pursuant to section 9.

The Media Authority may lay down further provisions concerning notification pursuant to this section. Section 13 Duty to provide information, etc.

Every person has a duty to provide the Media Authority and the Appeals Board for Media Ownership with the information required by these authorities in order to be able to perform their functions pursuant to this Act, among other things in order to:

- a) examine whether the criteria for intervention laid down in the Act have been satisfied,
- b) examine whether a decision pursuant to the Act has been contravened, or
- c) contribute to creating greater openness about, awareness or knowledge of ownership in the Norwegian media.

It may be required that information pursuant to the first subsection must be provided in writing or orally within a specified time limit.

The Media Authority may give anyone a standing order to send notification of any acquisitions of shares or interests in enterprises as mentioned in section 3. Such orders may not be given for more than three years at a time.

Information required pursuant to the first paragraph may be provided notwithstanding the statutory duty of confidentiality that is otherwise incumbent on the tax assessment authorities, other tax authorities and authorities charged with monitoring public regulation of economic activity. Nor shall the said duty of confidentiality preclude the surrender of documents in the possession of such authorities for examination.

Section 14 Coercive fine

To ensure compliance with an individual decision made in pursuance of this Act, the Media Authority may decide that the person against whom the decision is directed shall pay a continuous daily fine to the State until the matter has been remedied.

The fine shall not be applicable until the time limit for appeals has expired. If an appeal is lodged against the decision, no fine shall be applicable until a decision has been made on the appeal, unless the Appeals Board decides otherwise.

The imposition of a coercive fine shall be enforceable by execution.

The Media Authority may remit the imposition of a coercive fine when this is deemed reasonable.

Section 15 Coercive sale

If a decision regarding the sale of ownership interests pursuant to section 9 is not complied with, the Media Authority may have interests sold through the enforcement authorities pursuant to the rules relating to coercive sale insofar as they are appropriate. The provisions concerning the relationship to rightholders with higher priority in section 8-16 of Act No. 86 of 26 June 1992 relating to enforcement and interim security shall not apply.

Section 16 Penalties

Any person who wilfully or negligently

- a) contravenes a decision pursuant to section 9,
- b) fails to comply with an order to provide information pursuant to section 13,
- c) gives the Media Authority or the Appeals Board for Media Ownership incorrect or incomplete information, or
- d) is an accessory to a contravention as specified in litras a) to c)

shall be liable to fines or imprisonment for a term not exceeding two years.

Section 17 Commencement

This Act shall enter into force from the date decided by the King.

Section 18 Transitional provisions

2. Laws and regulations that pertain to the influence of political candidates and parties before, during, and after an election

Main Research Findings:

The parliament and government through either majority or minority government has the primary political power in Norway.

The parliament's most significant tasks are: passing new laws and changing old laws, passing the national budget, supervising the work of the government and public administration, and discussing political issues and major projects.

The government usually consists of 18-19 cabinet ministers. Each cabinet minister runs his or her own ministry. The government is headed by the prime minister.

The government's job is, among other things, to propose new laws and changes to laws. Laws are passed by the Storting. The government's job is to ensure that the resolutions passed by the Storting are implemented. The government also produces a proposed national budget.

The King's functions are mainly ceremonial. He ratifies laws and royal resolutions, receives and sends envoys to foreign countries and hosts state visits. He has a more tangible influence as the symbol of national unity.

Norwegian state restricts ownership concentration of TV, radio, and press.

There is no requirement that the political content of Norwegian TV, radio, or press is pluralistic or impartial.

The state bans broadcasters from disseminating political advertisement.

Sponsors of TV and radio programmes must be disclosed to the public.

For the registration of a political party, the state requires a declaration of no fewer than 5000 persons who are entitled to vote in parliamentary elections.

To maintain party registration status in subsequent elections, a party needs at least 5000 votes in the whole country. (In 2009, there were a total of 3,607,670 Norwegian voters.)

Unregistered political parties to have a list of candidates need the declared support of 500 voters who are entitled to vote.

Allocation of parliamentary seats through proportional representation:

There are 19 constituencies in Norway, and 169 seats in the unicameral parliament.

150 seats are returned as constituency members, and 19 as members at large. (One at large member for each constituency.)

The number of seats in each constituency determined by number of inhabitants plus number of square kilometers times 1.8. The distribution of seats is then divided by 1, 3, 5, 7 etc.

The distribution of the seats won is determined by the Sainte-Lague's modified method:

1.4, 3, 5, 7...

The 19 seats are divided up using the following method:

To be considered for the 19 seats, parties must receive at least 4% of the vote.

1. Party with no constituency seat—use total vote in country for party.
2. Party with at large seat and no constituency seat—use total vote in country for party.
3. Party with constituency seat won—divide total vote in country for party by a number that is twice the number of constituency seats won. Parties total vote is then divided by the average number of votes per constituency seat.

A county awarded an at large seat disregarded in further calculations as is a party when it reaches its maximum number of seats based on its total vote in country.

The king has control over the executive branch of government. However, both the king and the parliament have legislative powers.

Appeals of election violations must be filed within seven days after an election. Appeals for violation of the preparation of elections can be filed sooner.

Finances:

Political parties are exempted from tax on income and assets, which are not connected to commercial activities.

Public grants are available to registered political parties.

Vote support—equivalent for each vote received in last general election.

Basic support—equal to parties that received at least 2.5% of the vote on a national basis or had at least one representative elected.

Distribution of public funds as follows:

Vote support 9/10

Basic support 1/10

Parties with youth organizations are entitled to vote support in the form of grants. The grants are paid based on each vote received by the party in the last general election.

In 2008, the state issued about 40 million Euros in public party grants. Each seat was awarded about 11.4 Euros.

In addition, the parliament (Storting) through office allowance awarded 127 million kroner to

parliamentary groups. (15.5 million Euros)

According to Statistics Norway, in 2006 public funds account for about 75% of party funds, and in 2005 (election year), 66.6% of party funds. According to the Norway Democratic Financing Committee, in 2004 self-financing of the four largest political parties is 33% and the three smallest parties is 12%.

Donations:

Donations are not tax deductible.

The state disallows anonymous donations.

The state disallows donations to political parties from legal entities controlled by the state or other public agencies, and from foreign sources.

The state requires mandatory reporting party income each year, unless the income is less than 10,000 Kroner after deduction of public support.

For donations of 30,000 Kroner or more, the identity of the donor must be disclosed separately. Individuals are identified by name, address and municipality. (3812 Euro)

Political or commercial arrangements with donors must be disclosed.

There is no requirement that party donations are made public. However, any Norwegian citizen may inspect a party's expenditures and income for the previous years. Accounting reports of parties must be held for at least 10 years.

There are no caps on donations.

Legal entities as long as they are separate from the state and public organizations can donate to political parties.

There is no spending limit on political parties.

Research Excerpts:

Broadcast Act

Section 3-4 Sponsorship

Where a programme is sponsored, information to this effect shall be given prior to and/or after the programme. Information about the sponsor may be given in the form of the name, trademark or logo of the sponsor.

The content and form of presentation of a sponsored programme must be such as to maintain the full editorial integrity of the broadcaster.

Sponsored programmes shall not encourage the purchase or rental of any of the sponsor's products or services or those of a third party, and shall not for this purpose contain specific promotional references

to such products or services , cf. however section 3-5.

News and current affairs programmes may not be sponsored.

Broadcasting programmes may not be sponsored by natural or legal person whose principal activity is to manufacture, sell or hire out products or services the advertising of which is prohibited by Norwegian legislation or rules issued pursuant to Norwegian legislation. Political party organisations may not sponsor broadcasts.

The King will issue further regulations on the sponsorship of programmes, including rules on sponsorship of programmes broadcast by the Norwegian Broadcasting Corporation.

Representation of the People Act

Chapter 5. Registration of political parties

§ 5-1. *Registration authority. Effects of registration*

(1) A political party which satisfies the provisions of section 5-2 below may apply for registration of the name of the party in the Register of Political Parties that is kept by the Registry Unit in Brønnøysund.

(2) Before the party may be included in the Register of Political Parties, it must be registered in the Central Co-ordinating Register for Legal Entities and be assigned its own organisation number, cf. section 5 of the Central Co-ordinating Register for Legal Entities Act. When the party has been included in the Central Co-ordinating Register for Legal Entities, the information that is recorded there is taken as the basis for the Register of Political Parties.

(3) Registration in the Register of Political Parties has the consequence that the party has the sole right to issue electoral lists under the registered name.

§ 5-2. *Conditions for registering the name of a party in the Register of Political Parties*

(1) In order that it shall be possible for the name of a party to be included in the Register of Political Parties, it must not be confusable with the name of

- a) any other party included in the Register of Political Parties or
- b) any Sami political unit registered with the Sami Assembly.

Where special grounds exist, the registration authority may also in such cases refuse to register the name of the party.

(2) Together with the application the party shall also enclose the following documentation:

- a) transcript of the minute book for the meeting at which the party was constituted,
- b) information concerning the persons who have been elected to membership of the party's central executive committee and who have the power to represent the party centrally in matters coming under this Act,
- c) the resolution laying down which body in the party elects the central executive committee and
- d) a declaration from no fewer than 5000 persons who are entitled to vote at parliamentary elections that they wish to have the name of the party registered. Any person making such a declaration must have reached voting age by the end of the calendar year in which the application is made. Where the application is made less than one year before an election, it is sufficient that voting age will be reached by the end of the year of the election. The declaration shall show the name, date of birth and address of the person who has made it. The declaration shall be signed and dated by the hand of the person who has made it. No declaration shall be more than one year older than the application.

(3) The application must have been recorded with the registration authority by 2 January in the year of the election in order that the registration shall be able to take effect at the election.

§ 5-3. *Change of registered party name. Merging of parties under a new name*

(1) A registered political party may apply to have its registered party name changed. The provisions of section 5-2 above apply correspondingly. In place of the transcript of the minute book for the meeting at which the party was constituted there shall be enclosed a transcript of the minutes of the meeting at which it was resolved to change the name of the party. If the party received no fewer than 500 votes in one county or no fewer than 5000 votes in the whole country at the last parliamentary election, the provisions of paragraph (d) of subsection 2 of section 5-2 above do not apply.

(2) If two or more registered parties merge and apply for registration under a new name, this is deemed to be an application for a change of name. In place of the transcript of the minute book for the meeting at which the party was constituted there shall be enclosed a transcript of the minutes of the meeting at which it was resolved to merge the parties and to apply for registration under a new name. If one of the parties received no fewer than 500 votes in one county or no fewer than 5000 votes in the whole country at the last parliamentary election, the provisions of paragraph (d) of subsection 2 of section 5-2 above do not apply.

§ 5-4. *Cancellation of registration. When a party name becomes free*

(1) The effect of registration ceases and the name of the party becomes free when the party has not put up a list in any constituency at two successive parliamentary elections. In such cases the name of the party shall be deleted from the Register of Political Parties.

(2) The same applies four years after the party has been dissolved or changed its name.

§ 5-5. *Information concerning who are members of the party's central executive committee*

(1) Registered parties shall in the event of any change in previously registered information send notification to the Registry Unit in Brønnøysund of who are members of the party's central executive committee.

(2) By 2 January in the year of the election the parties shall send in updated information or confirmation of the information that has been recorded in the Central Co-ordinating Register for Legal Entities concerning who are members of the party's central executive committee with effect for the election. The registration authority shall in good time before the expiry of the time limit inform the parties of the information that has been recorded in the Central Co-ordinating Register for Legal Entities.

§5-6. *Announcement of decisions*

The registration authority shall make public decisions on the registration of new party names or the deletion of names from the Register of Political Parties.

§ 5-7. *Appeal*

(1) There is a right of appeal against the registration authority's decisions under this Act to a board appointed by the Ministry. The time limit for appeals is three weeks. The decisions of the board may be brought before the courts. In such cases legal proceedings must be instituted no later than two weeks from the date on which notification of the board's decision with information about the time limit for instituting legal proceedings reached the appellant concerned. The decision of a court takes effect for a coming election only if it is legally enforceable no later than 31 March in the year of the election.

(2) The board's decisions in appeal cases shall be made public.

§ 5-8. *Regulations*

The Ministry may by Regulations issue supplementary provisions relating to the registration system and to the activity of the registration authority and of the appeal board.

Chapter 6. Requirements concerning and treatment of list proposals

§ 6-1. Requirements concerning list proposals

(1) The closing date for the submission of list proposals is 31 March in the year of the election. A list proposal is deemed to have been submitted when it has been delivered to the municipal authority in the case of elections to the municipal council and delivered to the county authority in the case of parliamentary elections and elections to the county council. The same party or group may put up only one list in each constituency.

(2) A list proposal must satisfy the following conditions:

a) It must specify to which election it applies.

b) It must have a heading which specifies the party or the group that has put the proposal forward.

Where the list proposal has been put forward by a registered political party, the heading shall be identical with the registered name of the party. The name must in other respects not be confusable with the name of a registered political party, a registered Sami political unit or with the heading of other list proposals in the constituency.

c) It must specify which candidates are standing for election on the list. A list proposal must not have joint candidates with other list proposals applying to the same election in the same constituency. The number of candidates shall satisfy the requirements of section 6-2 below. The candidates shall be listed with their forename(s), surname and year of birth. Information about the candidates' occupation or residence may be shown. This shall be done where it is necessary to avoid confusion of candidates on the list.

d) A list proposal must have been signed by a certain number of persons, cf. section 6-3 below.

e) It must contain the name of a representative and an alternate among those who have signed the list proposal. These shall have the power to negotiate with the County Electoral Committee or the Electoral Committee with respect to changes to the list proposal. There should also be specified the names of a certain number of persons among those who have signed the list proposal who shall function as a representation committee with the power to withdraw the list proposal.

(3) A list proposal must be accompanied by such documents as are mentioned in section 6-4 below.

(4) A list proposal shall not contain any other type of information to the electors than that indicated in this section.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 6-2. The number of names of candidates on a list proposal

(1) At parliamentary elections a list proposal shall be filled out in sequence with the names of as many candidates as there shall be returned members of the Storting from the county. The proposal may in addition contain no more than six other names.

(2) At local government elections a list proposal shall be filled out in sequence with a minimum of seven candidates. The proposal may contain a maximum number of candidates corresponding to the number of members who shall be returned to the county council or the municipal council, with no more than six other additional names.

(3) At elections to the municipal council a certain number of candidates at the top of the list proposal may be given an increased share of the poll. In such cases candidates are given an increase in their personal share of the poll corresponding to 25 per cent of the number of ballot papers cast for the list concerned in the election. Depending upon the number of members of the municipal council who are to be returned, the proposers may give an increased share of the poll to the following numbers of candidates:

11-23 members: no more than 4

25- 53 members: no more than 6

55 members or more: no more than 10

The names of these candidates shall appear first on the list proposal and in boldface.

Amended by Acts No. 4 of 10 January 2003 (commencement 1 February 2003 pursuant to Decree No. 3 of 10 January 2003) and No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 6-3. *The number of signatures on a list proposal*

(1) For parties included in the Register of Political Parties which at the previous parliamentary election polled no fewer than 500 votes in one county or no fewer than 5000 votes in the whole country, it is sufficient for the list proposal to be signed by no fewer than two of the members of the executive committee of the party's local branch in the county or the municipal authority area to which the list applies. The same applies to parties that have been included in the Register of Political Parties subsequent to the previous parliamentary election. The signatories must be entitled to vote in the constituency. Where a registered political party puts up a list proposal together with an unregistered group, the provisions of subsection (2) below nevertheless apply.

(2) The following rules apply to other proposers:

- a) At parliamentary elections and elections to the county council a list proposal shall have been signed by no fewer than 500 persons entitled to vote in the county at the election concerned.
- b) At elections to the municipal council a list proposal shall have been signed by such number of persons entitled to vote in the municipal authority area as corresponds to 2 per cent of the number of inhabitants entitled to vote at the previous municipal council election. A list proposal shall nevertheless as a minimum have been signed by as many persons entitled to vote in the municipal authority area as there shall be returned members of the municipal council. Signatures from 300 persons will in all cases constitute a sufficient number.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 6-4. *Appendices to list proposals*

List proposals shall have the following appendices:

- a) A list of the candidates' dates of birth.
- b) A list of the dates of birth and residential addresses of those who have signed the list proposal.
- c) Where any candidate at a local government election is not registered at the Population Registry as resident in the county or in the municipal authority area when the list proposal is submitted, a declaration from the candidate must be enclosed stating he or she will be eligible on Election Day.
- d) Where any candidate at a local government election is not eligible by reason of the post he or she holds, a declaration from the candidate must be enclosed stating that he or she will have relinquished any such post by the time at which the county council or the municipal council commences its functions.

§ 6-5. *Withdrawal of a list proposal*

A list proposal that has been submitted may be withdrawn by the representation committee. Notice of withdrawal must be submitted no later than 20 April in the year of the election.

§ 6-6. *The electoral authorities' treatment of the list proposals*

- (1) The list proposals shall be put on display for public scrutiny as they come in.
- (2) The electoral authority in question decides by 1 June in the year of the election whether proposals for electoral lists and withdrawals of list proposals may be approved.
- (3) Where a list proposal at the time of its submission does not satisfy the statutory requirements, the electoral authorities shall by means of negotiations with the representatives of the list proposal seek to bring the proposal into conformity with statute law. The same applies to notice of withdrawal of any list

proposal.

(3) The electoral authorities shall inform all candidates on the list proposals of the fact that they have been placed on a list proposal and of entitlement to apply for exemption. Any signatory or any candidate who appears on more than one list proposal for the same election shall be ordered to give notice within a specified time limit of the proposal on which he or she wishes to appear. Otherwise the person in question is to be placed on the list proposal that was submitted first.

§ 6-7. *Publication of approved electoral lists*

When the list proposals have been approved, the electoral authorities shall put the official electoral lists on display for public inspection. The electoral authorities announce the headings on the approved electoral lists and provide information about where they are on display.

§ 6-8. *Appeal*

An appeal seeking to change the decision of the Electoral Committee or of the County Electoral Committee to approve or reject a list proposal must be submitted no later than seven days after the publication of the headings of the approved electoral lists. If the grounds for the appeal are that the sole right to the name of a party has been infringed, a registered political party also has the right of appeal. Otherwise the provisions of chapter 13 relating to appeals apply.

§ 6-9. *Regulations*

The Ministry may issue Regulations concerning the treatment of the list proposals.

Chapter 7. Ballot papers. Electors' right to make changes on ballot papers

§ 7-1. *Printing of ballot papers*

(1) For parliamentary elections and elections to the county council the County Electoral Committee ensures that ballot papers are printed for all the approved electoral lists in the county before the commencement of inland advance voting.

(2) For elections to the municipal council the Electoral Committee ensures that ballot papers are printed for all the approved electoral lists in the municipal authority area before the commencement of inland advance voting.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 7-2. *Changes on the ballot paper*

(1) At parliamentary elections an elector may change the order in which the candidates are listed on the ballot paper. This is done by the placing of a number by the name of the candidate. The elector may also delete the name of a candidate by putting a stroke through the name.

(2) At local government elections an elector may give candidates on the ballot paper one personal vote. This is done by the placing of a mark by the name of the candidate.

(3) At elections to the municipal council an elector may also give a personal vote to candidates on other electoral lists. This is done by the writing of the names of these candidates on the ballot paper. Such a personal vote may be given to such number of candidates as corresponds to a quarter of the number of members who are to be returned to the municipal council. Irrespective of the size of the municipal council a personal vote may nevertheless always be given to a minimum of five candidates from other lists. When the elector gives a personal vote to candidates on other lists, a corresponding number of list votes are transferred to the list or lists on which these candidates appear.

(4) Any other changes on the ballot paper do not count when the final election result is being determined.

Amended by Acts No. 4 of 10 January 2003 (commencement 1 February 2003 pursuant to Decree No. 3 of 10 January 2003) and No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 7-3. Regulations

The Ministry may issue Regulations concerning the design, printing and distribution of ballot papers.

Chapter 11. Distribution of seats and returning of members

§ 11-1. Constituencies for parliamentary elections

The country is divided into 19 constituencies. Each county constitutes a constituency.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-2. Number of members of the Storting. Constituency members and members at large

(1) 169 members shall be returned to the Storting.

(2) Of these, 150 are returned as constituency members and 19 as members at large. One member at large shall be returned for each constituency.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-3. Allocation of the seats to the constituencies at parliamentary elections

(1) All the seats in the Storting shall be allocated to the constituencies. The distribution is undertaken by the Ministry every eight years.

(2) The distribution figure for each constituency is determined by taking the number of inhabitants in the constituency at the end of the penultimate year before the parliamentary election in question and adding the number of square kilometres in the constituency multiplied by 1.8.

(3) The distribution figure for each constituency is divided by 1, 3, 5, 7 and so forth. The quotients that are arrived at are numbered consecutively. The parliamentary seats are allocated to the constituencies on the basis of the quotients arrived at. Seat No. 1 goes to the county that has the largest quotient. Seat No. 2 goes to the county that has the second largest quotient and so forth. If two or more counties have the same quotient, the parliamentary seat goes to the county that has the highest distribution figure.

(4) The Ministry informs the Storting of the outcome of the distribution of seats.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-4. Distribution of constituency seats between the electoral lists at parliamentary elections

(1) Of the number of seats each constituency shall have in pursuance of section 11-3, all with the exception of one are to be distributed as constituency seats. The last seat is allocated by the National Electoral Committee as a seat at large.

(2) The County Electoral Committee shall undertake the determination of the election result for the county and allocate the county's constituency seats to the lists. The distribution of seats is done according to Sainte-Laguë's modified method.

(3) Sainte-Laguë's modified method means that the total vote polled by each list is divided by 1.4, 3, 5, 7 and so forth. Each total vote polled shall be divided as many times as necessary to find the number of seats the list shall have. The first seat goes to the list that has the largest quotient. The second seat goes to the list that has the second largest quotient and so forth. If two or more lists have the same quotient, the seat goes to the list that has polled the largest number of votes. If they have polled the same number of votes, it is determined by lot to which list the seat shall be allocated.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-5. *Returning of members to the constituency seats at parliamentary elections*

(1) When it has been decided how many constituency seats an electoral list shall have, the County Electoral Committee allocates these to the candidates on the list. Candidates who are not eligible are disregarded. The returning of members takes place in the following manner: First the names listed as No. 1 on the ballot papers are counted. The candidate who has most such placements is elected. Thereafter the names listed as No. 2 on the ballot papers are counted. The candidate who has most such placements when the results from the first and second counts are added together is elected. The counts continue in the same manner until all the parliamentary seats the list shall have, have been filled. If two or more candidates achieve the same result, the original order on the list is decisive.

(2) Each list shall as far as possible be allocated as many alternates as it gets members of the Storting, with the addition of three. The candidates for seats as alternates are distributed in the same manner as the members in accordance with subsection (1) above.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-6. *Allocation of the seats at large to the parties and constituencies at parliamentary elections*

(1) The National Electoral Committee shall perform the determination of the election result for the distribution of the seats at large on the basis of the transcripts that are sent in from the County Electoral Committees.

(2) The National Electoral Committee allocates the seats at large to the parties in accordance with Article 59 of the Constitution.

(3) The National Electoral Committee allocates the parties' seats at large with one for each county, in the following manner:

a) For each county and for each party that has won at least one seat at large, the party's total vote polled in the county is taken as a starting point. If the party has not won any constituency seat, the party's total vote polled in the county shall be taken as a basis. If the party has won a constituency seat, the party's total vote polled shall be divided by a number that is one more than twice the number of constituency seats the party has won in the county. The party's total vote polled or the quotients arrived at are divided by the average number of votes per constituency seat in the county in question.

b) The quotients arrived at for all counties and for all parties that have won at least one seat at large are arranged in order according to size. If two or more quotients are of equal size, the number of votes in the county in question is decisive. In the event of an equality of votes the order is determined by lot.

c) Seat at large No. 1 is allocated to that party and that county which after the calculation above has the largest quotient. Seat at large No. 2 is allocated to that party and that county which has the second largest quotient and so forth.

d) When a county has been allocated a seat at large, that county is disregarded in the further calculations. When a party has won the number of seats at large it shall have in accordance with the distribution pursuant to subsection (2) above, that party is disregarded in the further calculations. The distribution continues for the remaining counties and the remaining parties until all the seats at large have been allocated.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-7. *Returning of members to the seats at large at parliamentary elections*

When it has been decided which party lists are to be given seats at large, the National Electoral Committee shall designate the members at large and all the alternates for the lists. In the determination

of this result, those who have already been elected as constituency members are disregarded, and the members are returned in continued sequence in accordance with section 11-5. Candidates who are not eligible are disregarded.

§ 11-8. *Credentials for the members returned to the Storting*

(1) The National Electoral Committee issues credentials for all members and alternates returned to the Storting. The credentials are sent to the Storting.

(2) The National Electoral Committee shall keep a record of the determination of the result of the election and inform the Storting and the County Electoral Committees thereof.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-9. *Notification of the members of the Storting returned*

(1) After having received a report from the National Electoral Committee, the County Electoral Committee shall notify the members and alternates returned of their election and inform them of their right to apply for exemption from election.

(2) Where a candidate has been elected a member or alternate for two or more counties, the person in question decides which election is to be accepted. A written declaration of which election is to be accepted shall be sent to the chairman of the relevant County Electoral Committee within three days of receipt of the notification of election from the County Electoral Committees. If the person in question does not make any such declaration, election is deemed to have been accepted in the county in which he or she is entitled to vote, or – if the person in question is not entitled to vote in any county – the county which comes first in alphabetical order. If the election the person in question has received is declared invalid, he or she can make a new declaration.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 13-3. *Review of parliamentary elections. Invalid elections – new elections*

(1) The newly returned Storting decides whether the election of members to the Storting is valid.

(2) The Storting shall ensure that any errors are corrected in so far as this is possible.

(3) The Storting shall declare a parliamentary election in a municipal authority area or in a county invalid if any error has been committed which may be deemed to have had an influence on the outcome of the election, and which it is not possible to correct.

(4) Where the election in a municipal authority area or in a county has been declared invalid, the Storting orders a new election. In special cases the Storting may order new elections in the whole county even if the error does not apply to all the municipal authority areas in the county.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

Chapter 15. Miscellaneous provisions

§ 15-1. *Pilot schemes*

(1) The King may on application give his consent for

a) pilot schemes in which elections under this Act are conducted in other ways than those that follow from this Act, and

b) pilot schemes with direct election of other popularly elected bodies than those to which this Act applies.

(2) The King lays down further conditions for such electoral pilots and in so doing determines from which statutory provisions any departure may be made.

The Constitution of the Kingdom of Norway

The Constitution, as laid down on 17 May 1814 by the Constituent Assembly at Eidsvoll and subsequently amended, most recently on 2 February 2006

1. A. FORM OF GOVERNMENT AND RELIGION

Article 1

The Kingdom of Norway is a free, independent, indivisible and inalienable Realm. Its form of government is a limited and hereditary monarchy.

Article 2

All inhabitants of the Realm shall have the right to free exercise of their religion.

The Evangelical-Lutheran religion shall remain the official religion of the State. The inhabitants professing it are bound to bring up their children in the same.

2. B. THE EXECUTIVE POWER, THE KING AND THE ROYAL FAMILY

Article 3

The Executive Power is vested in the King, or in the Queen if she has succeeded to the Crown pursuant to the provisions of Article 6 or Article 7 or Article 48 of this Constitution. When the Executive Power is thus vested in the Queen, she has all the rights and obligations which pursuant to this Constitution and the Law of the Land are possessed by the King.

Article 4

The King shall at all times profess the Evangelical-Lutheran religion, and uphold and protect the same.

Article 5

The King's person is sacred; he cannot be censured or accused. The responsibility rests with his Council.

Article 6

The order of succession is lineal, so that only a child born in lawful wedlock of the Queen or King, or of one who is herself or himself entitled to the succession, may succeed, and so that the nearest line shall take precedence over the more remote and the elder in the line over the younger. An unborn child shall also be included among those entitled to the succession and shall immediately take her or his proper place in the line of succession as soon as she or he is born into the world. The right of succession shall not, however, belong to any person who is not born in the direct line of descent from the last reigning Queen or King or a sister or brother thereof, or is not herself or himself a sister or brother thereof.

When a Princess or Prince entitled to succeed to the Crown of Norway is born, her or his name and time of birth shall be notified to the first Storting in session and be entered in the record of its proceedings.

For those born before the year 1971, Article 6 of the Constitution as it was passed on 18 November 1905 shall, however, apply. For those born before the year 1990 it shall nevertheless be the case that a male shall take precedence over a female.

Article 7

If there is no Princess or Prince entitled to the succession, the King may propose his successor to the Storting, which has the right to make the choice if the King's proposal is not accepted.

Article 8

The age of majority of the King shall be laid down by law.

As soon as the King has attained the age prescribed by law, he shall make a public declaration that he is of age.

Article 9

As soon as the King, being of age, accedes to the Government, he shall take the following oath before the Storting: "I promise and swear that I will govern the Kingdom of Norway in accordance with its Constitution and Laws; so help me God, the Almighty and Omniscient."

If the Storting is not in session at the time, the oath shall be made in writing in the Council of State and be repeated solemnly by the King at the first subsequent Storting.

The King shall reside in the Realm and may not, without the consent of the Storting, remain outside the Realm for more than six months at a time, otherwise he shall have forfeited, for his person, the right to the Crown.

The King may not accept any other crown or government without the consent of the Storting, for which two thirds of the votes are required.

Article 12

The King himself chooses a Council from among Norwegian citizens who are entitled to vote. This Council shall consist of a Prime Minister and at least seven other Members.

More than half the number of the Members of the Council of State shall profess the official religion of the State.

The King apportions the business among the Members of the Council of State as he deems appropriate. Under extraordinary circumstances, besides the ordinary Members of the Council of State, the King may summon other Norwegian citizens, although no Members of the Storting, to take a seat in the Council of State.

Husband and wife, parent and child or two siblings may never sit at the same time in the Council of State.

Article 13

During his travels within the Realm, the King may delegate the administration of the Realm to the Council of State. The Council of State shall conduct the government in the King's name and on his behalf. It shall scrupulously observe the provisions of this Constitution, as well as such particular directives in conformity therewith as the King may instruct.

The matters of business shall be decided by voting, where in the event of the votes being equal, the Prime Minister, or in his absence the highest-ranking Member of the Council of State who is present, shall have two votes.

The Council of State shall make a report to the King on matters of business which it thus decides.
Article 14

The King may appoint State Secretaries to assist Members of the Council of State with their duties outside the Council of State. Each State Secretary shall act on behalf of the Member of the Council of State to whom he is attached to the extent determined by that Member.

Article 25

The King is Commander-in-Chief of the land and naval forces of the Realm. These forces may not be increased or reduced without the consent of the Storting. They may not be transferred to the service of foreign powers, nor may the military forces of any foreign power, except auxiliary forces assisting against hostile attack, be brought into the Realm without the consent of the Storting.

The territorial army and the other troops which cannot be classed as troops of the line must never, without the consent of the Storting, be employed outside the borders of the Realm.

The Royal Princes and Princesses shall not personally be answerable to anyone other than the King, or whomever he decrees to sit in judgment on them.

Article 38

(Repealed)

Article 39

If the King dies and the Heir to the Throne is still under age, the Council of State shall immediately summon the Storting.

Article 40

Until the Storting has assembled and made provisions for the government during the minority of the King, the Council of State shall be responsible for the administration of the Realm in accordance with the Constitution.

Article 41

If the King is absent from the Realm unless commanding in the field, or if he is so ill that he cannot attend to the government, the person next entitled to succeed to the Throne shall, provided that he has attained the age stipulated for the King's majority, conduct the government as the temporary executor of the Royal Powers. If this is not the case, the Council of State will conduct the administration of the Realm.

Article 42

(Repealed)

Article 43

The choice of trustees to conduct the government on behalf of the King during his minority shall be undertaken by the Storting.

Article 44

The Princess or Prince who, in the cases mentioned in Article 41, conducts the government shall make the following oath in writing before the Storting: "I promise and swear that I will conduct the government in accordance with the Constitution and the Laws, so help me God, the Almighty and Omniscient."

If the Storting is not in session at the time, the oath shall be made in the Council of State and later be presented to the next Storting.

The Princess or Prince who has once made the oath shall not repeat it later.

Article 45

As soon as their conduct of the government ceases, they shall submit to the King and the Storting an account of the same.

Article 46

If the persons concerned fail to summon the Storting immediately in accordance with Article 39, it becomes the unconditional duty of the Supreme Court, as soon as four weeks have elapsed, to arrange for the Storting to be summoned.

Article 47

The supervision of the education of the King during his minority should, if both his parents are dead and neither of them has left any written directions thereon, be determined by the Storting.

Article 48

If the Royal Line has died out, and no successor to the Throne has been designated, then a new Queen or King shall be chosen by the Storting. Meanwhile, the Executive Power shall be exercised in accordance with Article 40.

Political Parties Act:

Chapter 2. Registration of political parties

§ 2. The registration authority. Effect of the registration (1) A political party that satisfies the conditions in Section 3 may apply to register the party's name in the Register of Political Parties at the Brønnøysund Register Centre. (2) Before the party can be registered in the Register of Political Parties, it must be registered in the Central Coordinating Register for Legal Entities and be allocated its own organisation number, cf. Section 5 of Act on the Central Coordinating Register for Legal Entities. When the party has been registered in the Central Coordinating Register for Legal Entities, the entry in the Register of Political Parties will be based on the information registered there. (3) Registration in the Register of Political Parties gives the party the exclusive right to field candidates for election under the registered name.

§ 3. Conditions for registering a party name in the Register of Political Parties (1) In order for a party name to be registered in the Register of Political Parties, it must not be possible to confuse it with the name of

a) another party registered in the Register of Political Parties or b) a Sami political entity registered with the Sami Parliament.

When special grounds exist, the registration authority can refuse to register the name of a political party. (2) The party shall present the following documentation along with the application:

a) The party's formation document, b) information as to which persons have been elected members of the party's executive bodies, and which persons have been authorised to act as the official representatives of the party in cases pursuant to this Act, c) statutes determining which party body elects the party's executive bodies, and **d) declarations from at least 5,000 persons who are eligible to vote in a general election,**

4 that they wish the party's name to be registered. The individuals making the declarations must have reached voting age by the end of the calendar year in which the application is made. If the application is submitted less than one year before an election, it is sufficient to have reached voting age by the end of the election year. Each declaration shall include the name, date of birth and address of the person

making the declaration. The declaration shall be signed in person and dated by the person who has made it. No declaration shall be more than one year older than the application.

(3) The application shall be registered with the registration authority by 2 January of the election year if the registration is to have any effect at the election.

§4. Change of registered party name. Amalgamation of parties under a new name (1) A registered political party may apply to change its registered party name. The provisions in Section 3 apply correspondingly. Instead of the formation document, the minutes of the meeting at which it was decided to change the party name shall be attached. If the party received at least 500 votes in one county or at least 5,000 votes in the whole country at the last general election, the conditions in Section 3 (2) litra d) do not apply. (2) If two or more registered parties amalgamate and apply for registration under a new name, this is considered to be an application to change the name. Instead of the formation document, the minutes of the meeting at which it was decided to amalgamate the parties and apply for registration under a new name shall be attached. If one of the parties received at least 500 votes in one county or at least 5,000 votes in the whole country at the last general election, the conditions in Section 3(2) litra d) do not apply.

§5. Deregistration. When a party name becomes freely available (1) The effect of the registration shall cease and the party's name shall become freely available when the party has not issued a list of election candidates in any constituency at two consecutive general elections. The name of the party shall then be deleted from the Register of Political Parties. (2) This also applies four years after the party was dissolved or changed its name.

§6. Information concerning the members of the party's executive bodies (1) In the event that a registered party wishes to change previously registered information, the party shall submit notification to the Brønnøysund Register Centre and name the persons serving on the party's executive bodies. (2) By 2 January in the election year, the party shall submit updated information or confirmation of the information registered in the Register of Political Parties giving the names of members of the party's executive bodies with effect for the election. The registration authority shall, well before the time limit, inform the parties of the information registered in the Register of Political Parties.

Norwegian Ministry of Local Government and Regional Development

Distribution of seats

The system is based on the principle that members' seats shall be allocated proportionally to the parties/groups according to the votes cast for the individual electoral list. This principle is called proportional representation. The allocation of seats to the different lists is carried out by means of the same mathematical method for both parliamentary and local government elections. This method is called Sainte-Laguë's modified method. This means that the number of votes polled by the individual list is first divided by the figure 1.4 and thereafter by the figures 3, 5, 7, 9 etc. By means of these divisions a number of figures are arrived at, quotients, as they are called. These quotients are arranged according to size. The members' seats are allocated to the lists that have the largest quotients. The first seat goes to the list that has the largest quotient, seat No. 2 goes to the one that has the second largest quotient and so on.

In the case of parliamentary elections the County Electoral Committee distributes all the seats in the county in accordance with Sainte-Laguë's modified method with the exception of one. The last seat in each county shall be allocated as a seat at large by the National Electoral Committee. The purpose of this is to bring about a more equitable political distribution of seats than it is possible to achieve

through a distribution based purely on electoral divisions.

In the case of parliamentary elections and elections to the county council one finds the total votes polled by a list by adding together the numbers of votes cast for the list in all the municipal authority areas in the county. In other words this is the basis for the divisions mentioned above. See the example in the table below, in which seats are to be allocated to 11 members.

Determination of election result using Sainte Laguë's modified method

	Conservatives	Labour	Progress	Soc. Left	Christian	Centre
Total votes	81 140	80 862	39 851	26 295	12 187	11 229
1,4	57 957 (1)	57 758 (2)	28 465 (3)	18 782 (6)	8 705	8 020
3	27 046 (4)	26 954 (5)	13 283 (9)	8 765	4 062	3 743
5	16 228 (7)	16 172 (8)	7 970			
7	11 591 (10)	11 551 (11)				
9	9 015	8 984				

Conservatives get seats Nos. 1, 4, 7 and 10

Labour gets seats Nos. 2, 5, 8 and 11

Party of Progress gets seats Nos. 3 and 9

Socialist Left Party gets seat No. 6

Constitution

Article 57

The number of representatives to be elected to the Storting shall be one hundred and sixty-nine.

The Realm is divided into nineteen constituencies.

One hundred and fifty of the representatives to the Storting are elected as representatives of constituencies and the remaining nineteen representatives are elected as members at large.

Each constituency shall have one seat at large.

The number of representatives to the Storting to be chosen from each constituency is determined on the basis of a calculation of the ratio between the number of inhabitants and surface area of each constituency and the number of inhabitants and surface area of the entire Realm, in which each inhabitant counts as one point and each square kilometre counts as 1.8 points. This calculation shall be made every eighth year.

Specific provisions on the division of the Realm into constituencies and on the allotment of seats in the Storting to the constituencies shall be determined by law.

Article 58

The polls shall be held separately for each municipality. At the polls votes shall be cast directly for representatives to the Storting, together with their proxies, to represent the entire constituency.

Article 59

The election of representatives of constituencies is based on proportional representation and the seats are distributed among the political parties in accordance with the following rules.

The total number of votes cast for each party within each separate constituency is divided by 1.4, 3, 5, 7 and so on until the number of votes cast is divided as many times as the number of seats that the party in question may be expected to obtain. The party which in accordance with the

foregoing obtains the largest quotient is allotted the first seat, while the second seat is allotted to the party with the second largest quotient, and so on until all the seats are distributed. List alliances are not permitted.

The seats at large are distributed among the parties taking part in such distribution on the basis of the relation between the total number of votes cast for the individual parties in the entire Realm in order to achieve the highest possible degree of proportionality among the parties. The total number of seats in the Storting to be held by each party is determined by applying the rules concerning the distribution of constituency seats correspondingly to the entire Realm and to the parties taking part in the distribution of the seats at large. The parties are then allotted so many seats at large that these, together with the constituency seats already allotted, correspond to the number of seats in the Storting to which the party in question is entitled in accordance with the foregoing. If a party has already through the distribution of constituency seats obtained a greater number of seats than it is entitled to in accordance with the foregoing, a new distribution of the seats at large shall be carried out exclusively among the other parties, in such a way that no account is taken of the number of votes cast for and constituency seats obtained by the said party.

No party may be allotted a seat at large unless it has received at least four per cent of the total number of votes cast in the entire Realm.

Specific provisions concerning the distribution among the constituencies of the seats at large allotted to the parties shall be determined by law.

Political Parties Act

8. Approval of elections - appeal

In the case of local government elections the determination of the result of the election shall be subject to the approval of the newly elected municipal/county council. Where an error has been made which cannot be corrected and which is of significance for the distribution of seats, the election shall be declared invalid. In such cases, notification is to be sent to the Ministry, which orders a new election. In the case of elections to the county council the Ministry may in special cases order new elections in the whole county, even though the error does not apply to all the municipal authority areas in the county. In the case of parliamentary elections it is the Storting itself that approves the election and orders a new election if the election is declared invalid.

Any person who is entitled to vote may appeal against matters relating to the preparation and conduct of the election in the county/municipal authority area in which he or she is included in the register of electors. Where the appeal relates to questions concerning the right to vote or the possibility of casting a vote, a person who has not been included in the register of electors also has the right of appeal. There is a right of appeal against "matters relating to the preparation and conduct of the election". In principle this means that one may appeal against matters of any kind. There are no limitations beyond the fact that the matter must be connected with the preparation and conduct of the election in one way or another.

An appeal must be brought within seven days after Election Day. It is however also possible to appeal earlier against matters relating to the preparation of the election. An appeal against the determination of the election result in the case of local government elections must be brought within seven days after the determination of the election result has been approved by the county/municipal

council. In the case of parliamentary elections an appeal against the County Electoral Committee's determination of the election result must be brought within seven days after the result has been declared.

The Ministry is the appeal body in the case of local government elections. The decisions made by the Ministry in appeal cases are final and cannot be brought before the courts for review. The grounds for this lie in the need for a swift and final decision.

In the case of parliamentary elections the Storting is itself the appellate body when it comes to appeals concerning the franchise and the right to cast a ballot. The National Electoral Committee shall make a statement on the appeals. When it comes to appeals relating to other matters, the National Electoral Committee is the appellate body.

3. Laws and regulations on electoral finance

Main Research Findings:

Finances:

Political parties are exempted from tax on income and assets, which are not connected to commercial activities.

Public grants are available to registered political parties.

Vote support—equivalent for each vote received in last general election.

Basic support—equal to parties that received at least 2.5% of the vote on a national basis or had at least one representative elected.

Distribution of public funds as follows:

Vote support 9/10

Basic support 1/10

Parties with youth organizations are entitled to vote support in the form of grants. The grants are paid based on each vote received by the party in the last general election.

In 2008, the state issued about 40 million Euros in public party grants. Each seat was awarded about 11.4 Euros.

In addition, the parliament (Storting) through office allowance awarded 127 million kroner to parliamentary groups. (15.5 million Euros)

According to Statistics Norway, in 2006 public funds account for about 75% of party funds, and in 2005 (election year), 66.6% of party funds. According to the Norway Democratic Financing Committee, in 2004 self-financing of the four largest political parties is 33% and the three smallest parties is 12%.

Donations:

Donations are not tax deductible.

The state disallows anonymous donations.

The state disallows donations to political parties from legal entities controlled by the state or other public agencies, and from foreign sources.

The state requires mandatory reporting party income each year, unless the income is less than 10,000 Kroner after deduction of public support. (1271 Euro)

For donations of 30,000 Kroner or more, the identity of the donor must be disclosed separately. Individuals are identified by name, address and municipality. (3812 Euro)

Political or commercial arrangements with donors must be disclosed.

There is no requirement that party donations are made public. However, any Norwegian citizen may inspect a party's expenditures and income for the previous years. Accounting reports of parties must be held for at least 10 years.

There are no caps on donations.

Legal entities as long as they are separate from the state and public organizations can donate to political parties.

There is no spending limit on political parties.

Research Excerpts:

Political Party Act

Chapter 3. Financing of political parties' organisations and elected groups

§10. Overarching principles for grants from public funds (1) Government grants to political parties' organisations at national, regional and municipal levels are paid in the amounts determined by the Storting.

(2) The Storting finances the elected groups in the Storting. The county administrations finance the elected groups in the county councils. The municipalities finance the elected groups in the municipal councils. The grant paid to the elected groups in the county councils and the municipal councils shall be paid proportionally according to the votes the party won at the election. (3) No conditions shall be attached to the grants from the government, county administrations or municipalities that may be in conflict with the political parties' independence. (4) The authorities shall not keep control of how the parties or groups dispose of their grants.

§11. Government grants to political parties' organisations and youth organisations at national level (1) Political parties may apply to the Ministry for government grants to the party's organisation at national level. The grants are provided as vote support and basic support. (2) The vote support is paid as an equal amount in kroner (NOK) to each vote received at the last general election. The basic support is paid as an equal amount in kroner to parties that at the last general election received at least 2.5% of the votes on a national basis or that had at least one representative elected to the Storting. Of the total support, 9/10 is distributed as vote support and 1/10 as basic support. (3) A political party's central youth organisation which is entitled to vote support may apply to the Ministry for a grant. The grant is paid as an equal amount in kroner to each vote received by the party at the last general election. (4) Applications for grants during the first year after an election are regarded as applicable to the entire election period as long as the applicant does not provide other information during the period.

§12. Government grants to political parties' organisations and youth organisations at county level (1) A party's county organisation may apply for a grant. The grants are provided as vote support and basic support. Party organisations in Oslo may apply for a grant both as a county organisation and as a municipal organisation, cf. Section 13. (2) The vote support is paid as an equal amount in kroner to each vote received at the last county council election. The basic support is paid as an equal amount in

kroner to parties that at the last county council election received at least 4% of the votes in the county or had at least one representative elected to the county council. Of the total support, 9/10 is distributed as vote support and 1/10 as basic support. (3) A party's youth organisation that is entitled to vote support may apply for a government grant. The vote support is paid as an equal amount in kroner to each vote received by the party during the last county council election. (4) The application shall be sent to the County Governor. Applications for grants during the first year after an election are considered to apply to the entire election period as long as the applicant does not provide other information during the period. The grant is disbursed by the County Governor to the parties' county organisations and youth organisations. (5) Joint lists of election candidates, consisting of parties that meet the conditions in Chapter 2, may apply for vote support and basic support. The grant is calculated pursuant to subsection 2. The disbursements will be based on the parties' agreed proposal for distribution. Should the parties on the joint list fail to agree on the distribution, the grant shall be distributed discretionally on the basis of the number of votes cast for the parties on a national basis or according to the votes cast at a previous election.

§13. Government grants to political parties' organisations at municipal level (1) A party's municipal organisation may apply for a grant. Party organisations in Oslo may apply for a grant both as a municipal organisation and as a county organisation, cf. Section 12. (2) The vote support is paid as an equal amount in kroner to each vote received at the last municipal council election. The basic support is paid as an equal amount in kroner to parties that at the last municipal election received at least 4% of the votes in the municipality or had at least one representative elected to the municipal council. Of the total support, 9/10 is distributed as vote support and 1/10 as basic support. (3) The application shall be sent to the County Governor. Applications for grants during the first year after an election are considered to apply to the entire election period as long as the applicant does not provide other information during the period. The grant is disbursed by the County Governor to the parties' municipal organisations. (4) Joint lists of election candidates, consisting of parties that meet the conditions in Chapter 2, may apply for vote support and basic support. The grant is calculated pursuant to subsection 2. The disbursements will be based on the parties' agreed proposal for distribution. Should the parties on the joint list fail to agree on the distribution, the grant shall be distributed discretionally on the basis of the number of votes cast for the parties on a national basis or according to the votes cast at a previous election.

§14. The Ministry's right to withhold government grants

The Ministry may make it a condition for payment of government grants to a party or a party unit that the party in question has delivered reports according to the rules in Chapter 4.

§15. Appeals against decisions concerning government grants

Decisions concerning the allotment of government grants may be appealed to the Political Parties Act Committee, cf. Chapter 5, within three weeks after the decision was made. The committee's decisions may be brought before the courts of law.

§16. Regulations

The Ministry may issue regulations stipulating that vote support below a certain amount shall not be paid.

Chapter 4. Support from others. Reporting of political parties' income and sources of income. Publication

§17. The right to receive donations

(1) Anyone is permitted to donate to political parties within the limitations that follow from the provision herein. (2) No political party may receive a donation if the identity of the donor is unknown to the party (anonymous donations). Such donations fall to the public purse. (3) Political parties may not receive donations from

a) legal entities under the control of the state or other public agency, b) foreign donors, which means private individuals who are not Norwegian citizens or who do not satisfy the conditions for eligibility to vote at municipal and county council elections, cf. the Election Act Section 2-2, or corporate bodies that are registered abroad.

(4) In this provision, donation means any form of support that the party would be obliged to report pursuant to Section 19.

§18. Obligation to report and the reporting period (1) All political parties, including organisational units of parties that are comprised by this Act, shall submit annual reports on their income. (2) The report shall include income in the period 1 January to 31 December and shall be submitted no later than six months after the closing of the accounts. (3) Political parties or units of political parties whose total income during the year is less than 10,000 kroner after the deduction of all public support are exempted from the obligation to report accounts of their income pursuant to Section 19. These parties are obliged to submit a declaration that their income for the year has been below this level. (4) Reporting of accounts of income pursuant to Section 19, or declarations pursuant to subsection 3 of this Section, shall be submitted to the central register for the scheme.

§19. Income that must be reported (1) The report shall contain a complete overview of the income received by the party or the party organisations during the period. (2) The income shall be categorised as follows: Public grants:

Income from the party's own activity:

d) Subscription revenues e) Income from lotteries, fund-raising campaigns and similar f) Income from capital g) Income from business activities h) Other income

Donations from others:

i) Private individuals j) Commercial enterprises k) Organisations in working life

l) Other organisations, associations and unions, institutions, foundations and funds m) Others

Internal transfers:

n) Transfers from other party units

(3) Donations are to be understood as monetary donations and the value of goods, services and other corresponding benefits that are received free of charge or at a reduced price. Benefits from private individuals consisting of ordinary volunteer work that does not require special qualifications, or that is not part of the benefactor's income basis, are not counted as donations. The same applies to the loan of premises and objects by private individuals who do not have this as part of their income basis. (4) Donations other than monetary donations shall be valued at market value and reported as income. Such donations below the determined limits in Section 20 (1) may nonetheless be exempted.

§20. Identification of donations and donors (1) If during the period a donor has made one or more donations to the party's head organisation to a total value of 30 000 kroner or more, the value of the donation and the identity of the donor shall be reported separately. This also applies to donations to party units at county council level to a total value of 20 000 kroner or more, and to donations to party units at municipal level to a total value of 10 000 kroner or more. Donations to the parties' youth

organisations are governed by the rules for donations to the parent party at a corresponding level. (2) Private individuals shall be identified by name and address and the municipality in which they live. Other donors shall be identified by name and postal address.

§21. Declarations, signatures and auditor's approval (1) The report shall contain a declaration that the party or the party unit has had no other income than that reported. (2) If political or commercial agreements have been entered into with any donor, the report shall contain a declaration to this effect. The party or the party unit is obliged on request to allow inspection of agreements entered into with donors. (3) Reports from the party's head organisation shall be signed by the party leader and be approved by an auditor. (4) Reports, including declarations under Section 18 (3) from parties or party units at municipal or county level, shall be signed by the person who is applying for or signing in receipt of party support under Chapter 3 plus one more member of the board. No auditor's approval is required.

§22. Publication (1) A central register for reporting under this Act shall be established. (2) The central register shall compare the information concerning the party's income and sources of income and make this available to the public in an appropriate manner, for example by electronic means. The register shall send an overview to the Political Parties Act Committee and to the Ministry of any parties or party units that have failed to comply with the requirement to report within the time limit. (3) Further rules concerning the manner of reporting and the organisation of the central register are determined in regulations issued by the Ministry.

§23. Inspection of political parties' accounts

Parties or party units comprised by this Act are obliged on request to allow inspection of the accounts that have been prepared for the previous year.

4. Laws and regulations on voter say

Main Research Findings:

Norwegian voters have freedom of expression and assembly.

Norwegian state restricts ownership concentration of TV, radio, and press.

There is no requirement that the political content of Norwegian TV, radio, or press is pluralistic or impartial.

The state bans broadcasters from disseminating political advertisement.

Sponsors of TV and radio programmes must be disclosed to the public.

There are no caps on donations to political parties for both individuals and legal entities.

There is no electoral spending limit on political parties.

The state allows advanced voting.

Diaspora can vote as long as they vote in advanced voting.

Electoral appeals must be filed within seven days **after** the election.

Citizens charged with criminal offenses will lose the right to vote subject to the law.

Sami people have their own 43-seat parliament from 13 constituencies, with a mandate to address all issues that affect Sami interests. (Statistics Norway: 38,470 total population of Sami in 2009.)

Research Excerpts:

Representation of the People Act

Chapter 2. Right to vote and electoral register

§ 2-1. *Right to vote at parliamentary elections*

(1) Entitled to vote at parliamentary elections is any Norwegian citizen who satisfies the following conditions:

- a) the person in question will have attained the age of 18 by the end of the year in which the election is held
- b) the person in question has not been disenfranchised pursuant to Article 53 of the Constitution and
- c) the person in question is, or has at some time been, registered at the Population Registry as resident in Norway.

(2) Persons who are members of the diplomatic corps or of the consular service and their households are entitled to vote notwithstanding the provision of paragraph (c) above.

(3) In order to exercise their right to vote electors must be included in the register of electors in a municipal authority area on Election Day.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 2-2. *Right to vote at local government elections*

(1) Entitled to vote at local government elections is any person who is entitled to vote at parliamentary elections pursuant to section 2-1 above.

(2) In addition persons who are not Norwegian nationals, but who otherwise satisfy the provisions of section 2-1 above, are entitled to vote if they

a) have been registered at the Population Registry as resident in Norway for the last three years prior to Election Day, or

b) are nationals of another Nordic country and were registered at the Population Registry no later than 31 May in the year of the election.

(3) In order to exercise their right to vote, electors must be included in the register of electors in a municipal authority area on Election Day.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

Chapter 3. Eligibility. Duty to accept election

§ 3-1. *Eligibility at parliamentary elections*

(1) Eligible to the Storting and bound to accept election is any person who is entitled to vote at the election and who is not subject to any legal incapacity or exempt.

(2) Disqualified from election to the Storting are

a) members of staff in the ministries with the exception of ministers, state secretaries and political advisers,

b) justices of the Supreme Court and

c) members of the diplomatic corps or of the consular service.

(3) Whether a person shall be disqualified from election to the Storting depends on whether the person in question holds such office on Election Day.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 3-2. *Right to claim exemption from election to the Storting*

(1) The right to claim exemption from election to the Storting is held by

a) any person who is entitled to vote in another constituency than the one in which the person in question has been placed as a candidate on a list proposal,

b) any person who has attended as a member all sessions of the Storting since the previous election, and

c) any person who has been placed as a candidate on a list proposal that has been put forward by any other persons than a registered political party of which the person in question is a member.

(2) Candidates who have been placed on a list proposal must apply for exemption within the time limit set by the Electoral Committee, otherwise the right to be deleted from the list proposal is lost.

(3) An elected representative or alternate who is not bound to accept election must send notification in writing stating whether or not election is accepted no later than three days after having received notification of election from the County Electoral Committee. Otherwise election is deemed to have been accepted.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 8-1. *The period for voting in advance*

(1) Electors who so wish may vote in advance inland from 10 August in the year of the election and abroad and on Svalbard and Jan Mayen from 1 July in the year of the election.

(2) Advance voting must take place no later than the last Friday before Election Day.

(3) The elector is personally responsible for voting in advance at such time as makes it possible for his or her advance vote to reach the Electoral Committee by 8.00 pm on Election Day.

§ 8-2. *Who may receive advance votes*

(1) The following persons may function as returning officers inland

- a) returning officers appointed by the Electoral Committee.
- b) the Governor of Svalbard. The Governor may appoint other returning officers.
- c) on Jan Mayen such person as the Ministry decides.

(2) The following persons may function as returning officers abroad

a) a member of the Foreign Service at a paid Norwegian Foreign Service mission. On special authorisation from the Ministry of Foreign Affairs voting may also take place in the presence of a member of the Foreign Service at an unpaid Norwegian Foreign Service mission. The head of mission may when it is deemed to be necessary appoint one or more of the officials at the mission to act as returning officers for advance votes.

b) returning officers appointed by the Ministry if voting is conducted in other places than those mentioned in paragraph (a) above.

(3) If an elector who is outside the realm has no possibility of going to a returning officer, the person in question may cast his or her vote by letter post without the presence of a returning officer at the casting of the vote.

§ 8-3. *In which places can advance votes be received*

(1) Voting shall take place in suitable premises.

(2) In the presence of a returning officer appointed by the Electoral Committee voting takes place

- a) at health and social welfare institutions, and
- b) where the Electoral Committee otherwise determines that advance votes shall be received.

(3) In the presence of the returning officer on Svalbard voting takes place where the Governor decides.

(4) In the presence of a member of the Foreign Service at a Norwegian Foreign Service mission voting takes place at the mission. The head of mission may decide that the receiving of votes may take place outside the area of the mission.

(5) In the presence of any appointed returning officer on Jan Mayen and outside the realm voting takes place where the Ministry decides.

(6) Electors who are in the realm, with the exception of Svalbard and Jan Mayen, and who by reason of infirmity or disability are unable to cast their vote in pursuance of subsection (2) above, may on application to the Electoral Committee cast an advance vote in the place where they are. The Electoral Committee itself lays down the date by which such application must have been received by the municipal authority. The closing date must be set at a time within the period between Tuesday and Friday in the last week before the election. The closing date for applications shall be made public.

§ 8-5. *Canvassing etc.*

(1) Canvassing is not permitted in the room in which advance voting is taking place.

(2) Unauthorised persons must not gain any knowledge of the consumption of the ballot papers of the different electoral lists.

§ 9-9. *Publication of election results and prognoses*

Election results and prognoses produced on the basis of investigations undertaken on the day or days on which polling takes place may not be published any earlier than 8.00 pm on Election Day Monday.

Chapter 11. Distribution of seats and returning of members

§ 11-1. *Constituencies for parliamentary elections*

The country is divided into 19 constituencies. Each county constitutes a constituency.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-2. *Number of members of the Storting. Constituency members and members at large*

(1) 169 members shall be returned to the Storting.

(2) Of these, 150 are returned as constituency members and 19 as members at large. One member at large shall be returned for each constituency.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-3. *Allocation of the seats to the constituencies at parliamentary elections*

(1) All the seats in the Storting shall be allocated to the constituencies. The distribution is undertaken by the Ministry every eight years.

(2) The distribution figure for each constituency is determined by taking the number of inhabitants in the constituency at the end of the penultimate year before the parliamentary election in question and adding the number of square kilometres in the constituency multiplied by 1.8.

(3) The distribution figure for each constituency is divided by 1, 3, 5, 7 and so forth. The quotients that are arrived at are numbered consecutively. The parliamentary seats are allocated to the constituencies on the basis of the quotients arrived at. Seat No. 1 goes to the county that has the largest quotient. Seat No. 2 goes to the county that has the second largest quotient and so forth. If two or more counties have the same quotient, the parliamentary seat goes to the county that has the highest distribution figure.

(4) The Ministry informs the Storting of the outcome of the distribution of seats.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-4. *Distribution of constituency seats between the electoral lists at parliamentary elections*

(1) Of the number of seats each constituency shall have in pursuance of section 11-3, all with the exception of one are to be distributed as constituency seats. The last seat is allocated by the National Electoral Committee as a seat at large.

(2) The County Electoral Committee shall undertake the determination of the election result for the county and allocate the county's constituency seats to the lists. The distribution of seats is done according to Sainte-Laguë's modified method.

(3) Sainte-Laguë's modified method means that the total vote polled by each list is divided by 1.4, 3, 5, 7 and so forth. Each total vote polled shall be divided as many times as necessary to find the number of seats the list shall have. The first seat goes to the list that has the largest quotient. The second seat goes to the list that has the second largest quotient and so forth. If two or more lists have the same quotient, the seat goes to the list that has polled the largest number of votes. If they have polled the same number of votes, it is determined by lot to which list the seat shall be allocated.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-5. *Returning of members to the constituency seats at parliamentary elections*

(1) When it has been decided how many constituency seats an electoral list shall have, the County Electoral Committee allocates these to the candidates on the list. Candidates who are not eligible are disregarded. The returning of members takes place in the following manner: First the names listed as No. 1 on the ballot papers are counted. The candidate who has most such placements is elected.

Thereafter the names listed as No. 2 on the ballot papers are counted. The candidate who has most such placements when the results from the first and second counts are added together is elected. The counts continue in the same manner until all the parliamentary seats the list shall have, have been filled. If two or more candidates achieve the same result, the original order on the list is decisive.

(2) Each list shall as far as possible be allocated as many alternates as it gets members of the Storting, with the addition of three. The candidates for seats as alternates are distributed in the same manner as the members in accordance with subsection (1) above.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-6. *Allocation of the seats at large to the parties and constituencies at parliamentary elections*

(1) The National Electoral Committee shall perform the determination of the election result for the distribution of the seats at large on the basis of the transcripts that are sent in from the County Electoral Committees.

(2) The National Electoral Committee allocates the seats at large to the parties in accordance with Article 59 of the Constitution.

(3) The National Electoral Committee allocates the parties' seats at large with one for each county, in the following manner:

a) For each county and for each party that has won at least one seat at large, the party's total vote polled in the county is taken as a starting point. If the party has not won any constituency seat, the party's total vote polled in the county shall be taken as a basis. If the party has won a constituency seat, the party's total vote polled shall be divided by a number that is one more than twice the number of constituency seats the party has won in the county. The party's total vote polled or the quotients arrived at are divided by the average number of votes per constituency seat in the county in question.

b) The quotients arrived at for all counties and for all parties that have won at least one seat at large are arranged in order according to size. If two or more quotients are of equal size, the number of votes in the county in question is decisive. In the event of an equality of votes the order is determined by lot.

c) Seat at large No. 1 is allocated to that party and that county which after the calculation above has the largest quotient. Seat at large No. 2 is allocated to that party and that county which has the second largest quotient and so forth.

d) When a county has been allocated a seat at large, that county is disregarded in the further calculations. When a party has won the number of seats at large it shall have in accordance with the distribution pursuant to subsection (2) above, that party is disregarded in the further calculations. The distribution continues for the remaining counties and the remaining parties until all the seats at large have been allocated.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-7. *Returning of members to the seats at large at parliamentary elections*

When it has been decided which party lists are to be given seats at large, the National Electoral Committee shall designate the members at large and all the alternates for the lists. In the determination of this result, those who have already been elected as constituency members are disregarded, and the members are returned in continued sequence in accordance with section 11-5. Candidates who are not eligible are disregarded.

§ 11-8. *Credentials for the members returned to the Storting*

(1) The National Electoral Committee issues credentials for all members and alternates returned to the Storting. The credentials are sent to the Storting.

(2) The National Electoral Committee shall keep a record of the determination of the result of the

election and inform the Storting and the County Electoral Committees thereof.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

§ 11-9. Notification of the members of the Storting returned

(1) After having received a report from the National Electoral Committee, the County Electoral Committee shall notify the members and alternates returned of their election and inform them of their right to apply for exemption from election.

(2) Where a candidate has been elected a member or alternate for two or more counties, the person in question decides which election is to be accepted. A written declaration of which election is to be accepted shall be sent to the chairman of the relevant County Electoral Committee within three days of receipt of the notification of election from the County Electoral Committees. If the person in question does not make any such declaration, election is deemed to have been accepted in the county in which he or she is entitled to vote, or – if the person in question is not entitled to vote in any county – the county which comes first in alphabetical order. If the election the person in question has received is declared invalid, he or she can make a new declaration.

Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003).

Norway Constitution

3. C. RIGHTS OF CITIZENS AND THE LEGISLATIVE POWER

Article 49

The people exercise the Legislative Power through the Storting, which consists of two departments, the Lagting and the Odelsting.

Article 50

Those entitled to vote in elections to the Storting are Norwegian citizens, men and women, who, at the latest in the year when the election is held, have completed their eighteenth year.

The extent, however, to which Norwegian citizens who on Election Day are resident outside the Realm but who satisfy the aforementioned conditions are entitled to vote shall be determined by law.

Rules may be laid down by law concerning the right to vote of persons otherwise entitled to vote who on Election Day are manifestly suffering from a seriously weakened mental state or a reduced level of consciousness.

Article 51

The rules on the keeping of the electoral register and on the registration in the register of persons entitled to vote shall be determined by law.

Article 52

(Repealed)

Article 53

The right to vote is lost by persons:

- a) sentenced for criminal offences, in accordance with the relevant provisions laid down by law;
- b) entering the service of a foreign power without the consent of the Government.

Article 54

The elections shall be held every fourth year. They shall be concluded by the end of September.

Article 55

The elections shall be conducted in the manner prescribed by law. Disputes regarding the right to vote shall be settled by the Electoral Committee, whose decision may be appealed to the Storting.

Article 56

(Repealed)

Article 57

The number of representatives to be elected to the Storting shall be one hundred and sixty- nine.

Freedom of Information Act

(numerous restrictions on public access to government information.)

Act of 19 June 1970 No. 69 relating to public access to documents in the public administration as subsequently amended, most recently by Act of 20 June 2003 No. 45 (short title: Freedom of Information Act)

§ 1. The general scope of the Act

This Act applies to such activities as are conducted by administrative agencies unless otherwise provided by or pursuant to statute. For the purposes of this Act, any central or local government body shall be considered to be an administrative agency. A private legal person shall be considered to be an administrative agency in cases where such person makes individual decisions or issues regulations. This Act applies to Svalbard unless otherwise prescribed by the King. This Act does not apply to cases dealt with pursuant to the statutes relating to the administration of justice.

This Act does not apply to the Storting, the Office of the Auditor General, the Storting's Ombudsman for Public Administration or other institutions of the Storting. Rules concerning the public disclosure of documents for these bodies shall be prescribed by special statutory provisions or by a plenary resolution of the Storting.

As regards the right to require information concerning the environment, the Environment Information Act and the Product Control Act also apply.

§ 2. The main provisions of the Act

The case documents of the public administration are public insofar as no exception is made by or pursuant to statute.

Any person may demand of the pertinent administrative agency to be apprised of the publicly disclosable contents of the documents in a specific case. The same applies to case registers and similar registers and the agenda of meetings of publicly elected municipal and county municipal bodies. The administrative agency shall keep a register pursuant to the provisions of the Archives Act and its regulations.

Notwithstanding that a document may be exempted from public disclosure pursuant to the provisions of

this Act, the administrative agency shall consider whether the document should nevertheless wholly or partly be made public.

§ 3. The concept of a document for the purposes of this Act

The case documents of the public administration are documents which are drawn up by an administrative agency as well as documents which have been received by or submitted to such an agency. A logically limited amount of information stored in a medium for subsequent reading, listening, presentation, or transfer shall be regarded as a document.

A document is considered to be drawn up when it has been dispatched, or if this does not occur, when the public agency has concluded its handling of the case.

§ 4. Deferred public disclosure in special cases

The pertinent administrative agency may decide in a particular case that public disclosure shall first take place at a later stage in the preparation of the case than that stipulated in section 3, if it finds that the documents then available give a directly misleading impression of the case and that public disclosure could therefore be detrimental to obvious public or private interests.

§ 5. *Exemptions in respect of internal documents*

Documents drawn up by an administrative agency for its internal preparation of a case may be exempted from public disclosure.

The same applies to documents in respect of an agency's internal preparation of a case which are drawn up a. by a subordinate agency b. by special advisers or experts c. by a ministry for use in another ministry The exemption also covers any document concerning the acquisition of such a document. It does not apply to documents obtained as part of the general procedure of inviting comments on draft statutes, draft regulations or similar general matters.

The provisions of the first and second paragraphs do not apply to case documents with enclosures presented to a publicly elected municipal or county municipal body.

§ 5 a. Exemptions in respect of information subject to a statutory duty of secrecy

Information that is subject to a duty of secrecy imposed by or pursuant to statute is exempted from public disclosure.

The rest of the document is public if the remaining parts alone do not give a clearly misleading impression of the contents or if the inaccessible information does not constitute the main part of the contents of the document. Legally classified documents may be exempted in their entirety.

§ 6. Exemptions on the basis of the document's contents

The following documents may be exempted from public disclosure: 1) Documents containing information which, if it were to be disclosed, could be detrimental to the security of the realm, national defence or relations with foreign states or international organizations 2) Documents for which exemption is necessary a) in the interests of proper execution of the financial, pay or personnel management of the central or local government or the pertinent agency b) in the interests of proper execution of general financial agreements with business and industry. c) because public disclosure would counteract public regulatory or control measures or other necessary administrative orders or prohibitions, or endanger their implementation 3) The minutes of the Council of State 4) Documents in cases concerning appointments or promotions in

the civil service.

This exemption does not apply to lists of applicants. Lists of applicants shall be drawn up as soon as possible after the final date for submitting applications and shall, in addition to the name of each applicant, contain the applicant's age, position or professional title, and place of residence or municipality where he or she works. Information concerning an applicant may, however, be exempted from public disclosure if the applicant himself or herself so requests. The list of applicants shall state how many applicants there have been for the post and their sex. 5) Complaints, reports and other documents concerning breaches of the law 6) Answers to examinations or similar tests and entries submitted in connection with competitions and the like 7) Documents prepared by a ministry in connection with annual fiscal budgets or long-term budgets 8) Photographs of persons entered in a personal data register. The term personal data register denotes registers, inventories etc. in which photographs of persons are systematically stored so as to enable an individual person's photograph to be retrieved. 9) Documents containing information obtained by continual or regularly repeated personal surveillance.

When a case document is exempted from public disclosure, the entire case may be exempted from public disclosure if the remaining case documents would give a clearly misleading impression of the case and public disclosure might be detrimental to public or private interests.

§ 6 a. Exemption to prevent commission of criminal acts

Information that needs to be exempted because public disclosure would facilitate the commission of criminal acts may be exempted from public disclosure. The same applies to information that needs to be exempted because public disclosure would facilitate the commission of acts that may harm parts of the environment that are particularly vulnerable or threatened with extinction.

The rest of the document is public if the remaining parts alone do not give a clearly misleading impression of the contents or if the inaccessible information does not constitute the main part of the contents of the document.

§ 7. Public disclosure on the basis of lapse of time etc.

The King may decide that documents which come under section 6 shall be publicly disclosable when, because of the lapse of time or for other reasons, it is obvious that the considerations which have justified exemption from public disclosure no longer apply

If a case document has been deposited in public archives, this decision shall be made by the head of the archives.

§ 8. How a document is to be disclosed

The administrative agency shall, with due regard for the proper conduct of the case, decide how a document is to be disclosed to the person who has requested to examine it, and shall within reasonable limits provide, on request, a transcript, print-out or copy of the document.

If the person who has requested to examine the document is entitled to see only parts of the document, disclosure may be effected by providing excerpts thereof.

Transcripts, print-outs and copies shall be provided free of charge. The King may, however, prescribe regulations concerning payment for transcripts, print-outs or copies. The King may also prescribe regulations concerning payment for documents made available in electronic form.

§ 9. Procedure and appeal

Requests to examine documents pursuant to section 2, second paragraph, shall be decided without undue delay.

If an administrative agency refuses a request made pursuant to section 2, second paragraph, it shall indicate the provision pursuant to which the refusal is made, and shall inform the applicant of the right of appeal and the time limit for lodging an appeal. If the grounds for refusal are to be found in section 5 a of this Act, the administrative agency shall also indicate the provision or provisions on which the duty of secrecy is based.

A person whose request to examine a document has been refused may appeal against the refusal to the administrative agency that is immediately superior to the administrative agency that has made the decision. If the refusal is made by a municipal or county body, the County Governor shall be the appellate instance. The appeal shall be decided without undue delay. In connection with the appeal proceedings, the appellate instance may decide that the document shall wholly or partly be disclosed in accordance with section 2, third paragraph. If the King is the appellate instance, an appeal may be brought only on the question whether there is power to exempt the document from public disclosure.

Otherwise, the provisions of chapter VI of the Public Administration Act concerning appeals shall apply insofar as they are appropriate.

§ 10. Consent to public disclosure of documents

If the request concerns a document containing information that is subject to a duty of secrecy, cf. section 5 a, and this duty of secrecy ceases when the consent of the person entitled to secrecy has been obtained, the request shall on application be submitted to the person concerned for comment within an appropriate time limit. Failure by the person concerned to reply shall be considered a denial of consent.

§ 11. Regulations pursuant to this Act

The King may prescribe necessary regulations concerning the implementation of this Act, including rules as to what kinds of cases or documents may be exempted from public disclosure pursuant to the provisions of sections 5, 5 a and 6. He may also prescribe regulations concerning what should in cases of doubt be considered to be an administrative agency. Furthermore, he may prescribe regulations to the effect that certain private legal persons shall be equated with administrative agencies for the purposes of this Act.

In sectors in which the great majority of the documents could be exempted from public disclosure pursuant to the provisions of sections 5, 5 a and 6, the King may make regulations prescribing that all the documents may be exempted. Such regulations may be prescribed only when particularly weighty reasons so indicate.

§ 12. This Act enters into force from the date prescribed by the King.

The King may prescribe that the Act shall enter into force in specified sectors of the administration by successive stages.

§ 13. This Act does not apply to documents prepared or drawn up by, or received or submitted to a public agency prior to its entry into force.

Norwegian Ministry of Local Government and Regional Development

Voting in advance

Electors may vote in advance. Advance voting inland (including Svalbard and Jan Mayen) takes place in the period from 1 July in the year of the election and up to the last Friday before Election Day. The elector is personally responsible for casting an advance vote at such time as permits the ballot cast in advance to reach the Electoral Committee no later than 9.00 pm on Election Day.

Electors who are abroad can also cast their ballots at the election. However, they must vote in advance. Advance voting abroad and on Svalbard and Jan Mayen commences on 1 July in the year of the election. Abroad the voting can take place up to and including the next to last Friday before the Election Day. On Svalbard, the Governor of Svalbard may decide that the casting of votes shall be terminated earlier than the last Friday before the Election Day. Electors must personally ensure that they vote early enough for their ballots to reach the Electoral Committee by 9.00 pm on Election Day. As a rule advance votes abroad are given to a returning officer at a Norwegian Foreign Service mission.

The Ministry may according to need, appoint returning officers in other places.

Electors who have not been resident in Norway the last 10 years before Election Day must apply for inclusion in the register of electors. (This is not necessary for members of the diplomatic corps or the consular service and their households.) An application for inclusion in the register of electors shall contain a declaration that the elector is still a Norwegian national. The Ministry prints an application form for this purpose on the cover envelope for advance voting abroad, but the application may also be made by letter.

Where an elector who is outside the realm has no possibility of getting to a returning officer, he or she may vote by post without the presence of a returning officer at the casting of the ballot. Such electors may themselves see to the voting procedure, either by using material they have obtained from a Foreign Service mission or a returning officer, or by using their own ballot papers and envelopes. A postal vote is deemed to be relevant only in exceptional cases and for electors who would otherwise not have been able to vote.

Electors' right to make changes on the ballot papers

In the case of parliamentary elections electors can renumber the order of candidates on the list by putting new numbers in front of the candidates' names or by crossing out the names of candidates by placing a mark in a box to the right of the candidate's name.

8. Approval of elections - appeal

In the case of local government elections the determination of the result of the election shall be subject to the approval of the newly elected municipal/county council. Where an error has been made which cannot be corrected and which is of significance for the distribution of seats, the election shall be declared invalid. In such cases, notification is to be sent to the Ministry, which orders a new election. In the case of elections to the county council the Ministry may in special cases order new elections in the whole county, even though the error does not apply to all the municipal authority areas in the county. In the case of parliamentary elections it is the Storting itself that approves the election and orders a new election if the election is declared invalid.

Any person who is entitled to vote may appeal against matters relating to the preparation and conduct of the election in the county/municipal authority area in which he or she is included in the register of electors. Where the appeal relates to questions concerning the right to vote or the possibility of casting a vote, a person who has not been included in the register of electors also has the right of appeal. There is a right of appeal against “matters relating to the preparation and conduct of the election”. In principle this means that one may appeal against matters of any kind. There are no limitations beyond the fact that the matter must be connected with the preparation and conduct of the election in one way or another.

An appeal must be brought within seven days after Election Day. It is however also possible to appeal earlier against matters relating to the preparation of the election. An appeal against the determination of the election result in the case of local government elections must be brought within seven days after the determination of the election result has been approved by the county/municipal council. In the case of parliamentary elections an appeal against the County Electoral Committee’s determination of the election result must be brought within seven days after the result has been declared.

The Ministry is the appeal body in the case of local government elections. The decisions made by the Ministry in appeal cases are final and cannot be brought before the courts for review. The grounds for this lie in the need for a swift and final decision.

In the case of parliamentary elections the Storting is itself the appellate body when it comes to appeals concerning the franchise and the right to cast a ballot. The National Electoral Committee shall make a statement on the appeals. When it comes to appeals relating to other matters, the National Electoral Committee is the appellate body.

c. Neither candidates nor voters must find themselves obliged to reveal their membership of a national minority.

2.5. Equality and parity of the sexes

Legal rules requiring a minimum percentage of persons of each gender among candidates should not be considered as contrary to the principle of equal suffrage if they have a constitutional basis.

3. Free suffrage

3.1. Freedom of voters to form an opinion

a. State authorities must observe their duty of neutrality. In particular, this concerns:

i. media; ii. billposting; iii. the right to demonstrate; iv. funding of parties and candidates.

b. The public authorities have a number of positive obligations; inter alia, they must:

i. submit the candidatures received to the electorate; ii. enable voters to know the lists and candidates standing for election, for example through appropriate posting. iii. The above information must also be available in the languages of the national minorities.

c. Sanctions must be imposed in the case of breaches of duty of neutrality and voters' freedom to form an opinion.

3.2. Freedom of voters to express their wishes and action to combat electoral fraud

i. voting procedures must be simple; ii. voters should always have the possibility of voting in a polling station. Other means of voting are acceptable under the following conditions: iii. postal voting should be allowed only where the postal service is safe and reliable; the right to vote using postal votes may be confined to people who are in hospital or imprisoned or to persons with reduced mobility or to electors

residing abroad; fraud and intimidation must not be possible; iv. electronic voting should be used only if it is safe and reliable; in particular, voters should be able to obtain a confirmation of their votes and to correct them, if necessary, respecting secret suffrage; the system must be transparent; v. very strict rules must apply to voting by proxy; the number of proxies a single voter may hold must be limited; vi. mobile ballot boxes should only be allowed under strict conditions, avoiding all risks of fraud; vii. at least two criteria should be used to assess the accuracy of the outcome of the ballot: the number of votes cast and the number of voting slips placed in the ballot box; viii. voting slips must not be tampered with or marked in any way by polling station officials;

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ix. unused voting slips must never leave the polling station; x. polling stations must include representatives of a number of parties, and the presence of observers appointed by the candidates must be permitted during voting and counting; xi. military personnel should vote at their place of residence whenever possible. Otherwise, it is advisable that they be registered to vote at the polling station nearest to their duty station; xii. counting should preferably take place in polling stations; xiii. counting must be transparent. Observers, candidates' representatives and the media must be allowed to be present. These persons must also have access to the records; xiv. results must be transmitted to the higher level in an open manner; xv. the state must punish any kind of electoral fraud.

4. Secret suffrage

- a. For the voter, secrecy of voting is not only a right but also a duty, non-compliance with which must be punishable by disqualification of any ballot paper whose content is disclosed.
- b. Voting must be individual. Family voting and any other form of control by one voter over the vote of another must be prohibited.
- c. The list of persons actually voting should not be published.
- d. The violation of secret suffrage should be sanctioned.

5. Direct suffrage

The following must be elected by direct suffrage:

- i. at least one chamber of the national parliament; ii. sub-national legislative bodies; iii. local councils.

6. Frequency of elections

Elections must be held at regular intervals; a legislative assembly's term of office must not exceed five years.

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II. Conditions for implementing these principles

1. Respect for fundamental rights

- a. Democratic elections are not possible without respect for human rights, in particular freedom of expression and of the press, freedom of circulation inside the country, freedom of assembly and freedom of association for political purposes, including the creation of political parties.
- b. Restrictions of these freedoms must have a basis in law, be in the public interest and comply with the principle of proportionality.

2. Regulatory levels and stability of electoral law

- a. Apart from rules on technical matters and detail – which may be included in regulations of the executive –, rules of electoral law must have at least the rank of a statute.
- b. The fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment

less than one year before an election, or should be written in the constitution or at a level higher than ordinary law.

3. Procedural guarantees

3.1. Organisation of elections by an impartial body

- a. An impartial body must be in charge of applying electoral law.
- b. Where there is no longstanding tradition of administrative authorities' independence from those holding political power, independent, impartial electoral commissions must be set up at all levels, from the national level to polling station level.
- c. The central electoral commission must be permanent in nature.
- d. It should include:
 - i. at least one member of the judiciary;
 - ii. representatives of parties already in parliament or having scored at least a given percentage of the vote; these persons must be qualified in electoral matters. It may include:
 - iii. a representative of the Ministry of the Interior;
 - iv. representatives of national minorities.
- e. Political parties must be equally represented on electoral commissions or must be able to observe the work of the impartial body. Equality may be construed strictly or on a proportional basis (see point 1.2.3.b).
- f. The bodies appointing members of electoral commissions must not be free to dismiss them at will.
- g. Members of electoral commissions must receive standard training.

Constitution

Article 53

The right to vote is lost by persons:

- a) sentenced for criminal offences, in accordance with the relevant provisions laid down by law;
- b) entering the service of a foreign power without the consent of the Government.

The Sami Act

(Act of 12 June 1987 No. 56 concerning the Sameting (the Sámi Parliament) and other Sámi legal matters as subsequently amended by Act of 11 April 2003 No.22)

CHAPTER 1

GENERAL PROVISIONS

§ 1.1. The Purpose of the Act

The purpose of the Act is to enable the Sámi people in Norway to safeguard and develop their language, culture and the way of life.

§ 1.2. The Sameting

The Sámi people are to have their own nation-wide Sameting elected by and among the Sámi population.

§ 1.3. The annual report of the Sameting

The annual report of the Sameting is to be sent to the King.

§ 1.4. The financial liability of the state

The particular expenses incurred by county municipalities and municipalities in connection with elections to the Sameting are to be covered by the State.

§ 1.5. Sámi language

Sámi and Norwegian are languages of equal worth. They shall be accorded equal status pursuant to the provisions of Chapter 3.

§ 1.6. The Sámi flag

The Sámi flag is the flag adopted at the 13th Nordic Sámi Conference on 15 August 1986.

The Sameting may issue regulations prescribing further rules for how the flag is to be used.

CHAPTER 2

THE SAMETING

§ 2.1. The business and authority of the Sameting

The business of the Sameting is any matter that in the view of the parliament particularly affects the Sámi people.

The Sameting may on its own initiative raise and pronounce an opinion on any matter coming within the scope of its business. It may also on its own initiative refer matters to public authorities and private institutions, etc.

The Sameting may delegate authority to administer the allocations granted for the purposes of the Sámi people over the annual fiscal budget. The Ministry will lay down rules for the financial management of the Sameting.

The Sameting has the power of decision when this follows from other provisions in the Act or is otherwise laid down.

§ 2.2 Method of election, time of election and electoral terms

Election to the Sameting is by direct ballot.

Proportional representation is to be the method of election when more than one proposed list of candidates is approved in a constituency. In other cases election is by majority vote.

Elections are to be held on the same day as elections to the Storting.

The Sameting is elected for a period of four years. The electoral term is reckoned from the first day of October in the election year.

§ 2.4. Constituencies and distribution of seats

At elections to the Sameting, three members with alternates are to be elected from each of the following constituencies:

1. Varanger (South Varanger, Nesseby, Vadsø, Vardø, and Båtsfjord municipalities)
2. Tana (Tana, Berlevåg, and Gamvik municipalities)
3. Karasjok (Karasjok municipality)
4. Kautokeino (Kautokeino municipality)
5. Porsanger (Porsanger, Lebesby, Nordkapp and Måsøy municipalities)
6. Alta/Kvalsund (Kvalsund, Hammerfest, Sørøysund, Alta, Hasvik and Loppa municipalities)
7. Nord-Troms (Kvænangen, Nordreisa, Skjervøy, Kåfjord, Storfjord, and Lyngen municipalities)
8. Midt-Troms (Karlsøy, Tromsø, Balsfjord, Målselv, Bardu, Lenvik, Berg, Torsken and Tranøy municipalities)
9. Sør-Troms (Sørreisa, Dyrøy, Salangen, Lavangen, Gratangen, Skånland, Ibestad, Harstad, Bjarkøy and Kvæfjord municipalities)
10. Nordre Nordland (Andøy, øksnes, Bø, Sortland, Hadsel, Vågan, Vestvågøy, Flakstad, Moskenes, Værøy, Røst, Lødingen, Tjeldsund, Evenes and Narvik municipalities)
11. Midtre Nordland (Ballangen, Tysfjord, Hamarøy, Steigen, Sørfold, Bodø, Fauske, Skjerstad, Saltstad, Gildeskål, Beiarn and Meløy municipalities)
12. The South Sami area (the municipalities in the country of Nordland form and including Rana and Rødøy and southwards, the counties of Nord-Trøndelag and Sør-Trøndelag and the municipality of Engerdal in the country of Hedmark)
13. South Norway (the counties of Møre og Romsdal, Sogn og Fjordane, Hordaland, Rogaland, Vest-Agder, Aust-Agder, Telemark, Buskerud, Vestfold, Akershus, østfold, Oppland, Hedmark except Engerdal municipality, and Oslo).

§ 2.5. The right to vote

All persons having the right to vote in local government elections in the constituency and who on polling day are included in the Sámi electoral register in the constituency (§ 2.6) have the right to vote at elections to the Sameting.

§ 2.6. The Sámi electoral register

All persons who make a declaration to the effect that they consider themselves Sami, and who either

- a. have Sámi as their domestic language, or
 - b. have or have had a parent, grandparent or great-grandparents with Sámi as his or her domestic language, or
 - c. are the child of a person who is or has been registered in the Sámi electoral register
- may demand to be included in a separate register of Sámi electors in their municipality of residence.

The Sámi electoral register is drawn up on the basis of the national population register in the municipality, the register of Sámi electors at the time of the last election and the demands for inclusion or deletion received during the electoral term.

When a person has been included in the Sámi electoral register, this may be registered in the national population register. Such registration shall only be accessible to the authority responsible for holding elections to the Sameting, or with the consent of the Ministry.

The Sámi electoral register may be kept by electronic means.

§ 2.7. Eligibility for election and right to propose candidates

All persons who are included in the Sámi electoral register in the constituency are eligible for election to the Sameting. Those standing for election must also be included in the national population register as being resident in the constituency on polling day. Administrative staff of the Sameting are not however eligible for election.

All persons who are included in the Sámi electoral register in the constituency have the right to propose candidates in the constituency. A proposal for a list of candidates must be signed by at least fifteen Sámi having the right of proposal.

A group, party or similar association may apply to the Sameting for registration under a specified party name. The request for registration shall be supported by the signatures of at least two hundred persons who are entitled to vote and propose candidates in elections to the Sameting. Decisions regarding registration may not be appealed. The King may lay down further provisions regarding the conditions and procedure for registration.

§ 2.8. Obligation to accept election, grounds for exemption and obligation to attend meetings

All those who are eligible for election to the Sameting are under an obligation to accept election unless they are exempted in accordance with the provisions of the second paragraph.

The right to claim exemption from election may be exercised by all those who:

- a. have reached the age of sixty years by the end of the election year, or
- b. have served as members of the Sameting during the last four years, or
- c. prove to the Sámi electoral board in the constituency that they will not be able to fulfill their obligations as members of the Sameting without undue difficulty.

Any person who is elected as a member of the Sameting or a body appointed by the Sameting is under an obligation to participate in meetings of the Sameting or the respective body unless he or she has a valid reason for not attending.

Employees are entitled to take leave from work to the extent necessitated by their obligations in the Sameting or in the body to which the persons concerned have been appointed as a member.

§ 2.9. Exemption and retirement during the electoral term

Members of the Sameting who are unable to fulfill the obligations of their office without undue difficulty may on application be relieved of their office by the Sameting for a specified period of time or for the rest of the electoral term.

Members who lose the right to vote pursuant to Article 53 of the Constitution, or who join the

administrative staff of the Sameting, shall retire from the Sameting for the rest of the electoral term.

§ 2.10. Electoral authority

The Sameting is the highest electoral authority at elections to the Sameting.

§ 2.11. Supplementary electoral provisions

The King may issue supplementary provisions concerning elections to the Sameting.

§ 2.12. The administration, organization and procedures of the Sameting

The Sameting is to have its own administration. Administrative staff is to be appointed by the Sameting.

The employees of the Sameting shall be subject to the legislation that applies to civil servants insofar as this is appropriate.

The Sameting may establish any boards; councils or committees that it may find appropriate and, unless otherwise provided, delegate authority to them.

The power of decision pursuant to sections 2.9., 2.10., and 2.14. may not be delegated.

Individual decisions made by a board, council or committee appointed by the Sameting may, in accordance with the provisions of the Public Administration Act, be appealed to the Sameting or to a special appeals board appointed by the Sameting.

§ 2.13. Language used in proceedings

At meetings of the Sameting, all persons have the right to speak Sámi or Norwegian as they wish.

§ 2.14. Rules of procedure

The Sameting will issue rules concerning the summoning and order of business of the Sameting.

§ 2.15. Full time members of the Sameting are entitled to a pension in accordance with a separate pension scheme. The King may issue regulations providing that other members of the Sameting are also entitled to a pension.

The King may issue further regulations relating to the calculation of pension rights and the implementation of the pension scheme.

CHAPTER 3

THE SÁMI LANGUAGE

§ 3.1. Definitions

The following definitions shall apply in this chapter:

1. The term "Sámi language administrative district" shall mean the municipalities of Karasjok, Kautokeino, Nesseby, Porsanger, Tana and Kåfjord.
2. The term "public body" shall mean any state or municipal body.
3. The term "regional public body in the administrative district" shall mean any municipal, county municipal or state body whose jurisdiction comprises a municipality or part of a municipality in the Sámi language administrative district.
4. The term "regional public body in the administrative district" shall mean any county municipal or state body whose jurisdiction comprises all or part of more than one of the municipalities in the Sámi language administrative district, but which, nevertheless, does not cover the entire country.

§ 3.2. Translation of rules, announcements and forms

Statutes and regulations of particular interest to all or parts of the Sámi population shall be translated into Sámi.

Announcements by public bodies, which are particularly addressed to all or parts of the population in the administrative district, shall be made in Sámi and Norwegian.

Forms to be used in connection with a local or regional public body in the administrative district shall be available in both the Sámi and Norwegian language. The King will issue further rules regarding the implementation of this provision.

§ 3.3. The right to a reply in Sámi

Any person who makes an application in Sámi to a local public body in the administrative district is entitled to a reply in Sámi. However, this does not apply in the case of oral applications to officials who are carrying out assignments outside the office of the body.

Any person who makes a written application in Sámi to a regional public body in the administrative district is entitled to a written reply in the Sámi language. In special cases, the King may make exceptions for specified regional public bodies.

§ 3.4. Extended right to use Sámi in the judicial system

In the case of courts of law whose jurisdiction comprises all or parts of the administrative district, the following rules regarding the use of Sámi shall also apply:

1. Any person has a right to submit written pleadings with appendices, written evidence or other written applications in Sámi. If the court is to transmit the application to an opposite party, it shall ensure that the document is translated into Norwegian. The translation may be omitted with the consent of the opposite party.
2. Any person has a right to make an oral application to the court in Sámi if statutory legal procedure allows oral instead of written applications. If the court is under an obligation to record the application in writing, the person making the application may demand that it be written in Sámi. Such a demand does not interrupt any time limit. Subsection 1, second and third sentences, apply correspondingly.
3. Any person has a right to speak Sámi at court proceedings. If a person who does not speak Sámi participates in the proceedings, an interpreter appointed or approved by the court shall be used.
4. At the request of one of the parties, the president of the court may decide that the language used in the proceedings shall be Sámi. Subsection 3, second sentence, shall apply correspondingly.
5. If the language used in the proceedings is Sámi, the president of the court may decide that the court records shall also be kept in Sámi. The court will ensure that the records are translated into Norwegian.
6. The court will ensure that court records, which are written in Norwegian, are translated into Sámi when one of the parties so demands. Such a demand does not interrupt any time limit.

Police and prosecuting authorities whose jurisdiction comprises all or parts of the administrative district shall also be subject to the following rules regarding the use of Sámi:

1. Any person has a right to speak Sámi during interviews in the body's office.
2. Any person has a right to use Sámi when making a formal complaint orally or giving oral notice of seeking a judicial remedy.

Prison institutions in Troms and Finnmark shall also be subject to the following rules regarding the use of Sámi:

1. Section 3.5. applies correspondingly to prison inmates.
2. Prison inmates are entitled to speak Sámi to each other and to their relatives.
3. Prison inmates are entitled to speak Sámi when giving oral notice of seeking a judicial remedy to the prison authorities.

§ 3.5. Extended right to use Sámi in the health and social sector

Any person wishing to use Sámi in order to protect his or her own interests vis-à-vis local and regional public health and social institutions in the administrative district is entitled to be served in Sámi.

§ 3.6. Individual church services

Any person entitled to receive individual church services in Sámi in the Church of Norway's congregations in the administrative district.

§ 3.7. Right to leave of absence for educational purposes

Employees in a local or regional public body in the administrative district are entitled to leave with pay in order to acquire knowledge of Sámi when the above-mentioned body is in need of such knowledge. This right may be made contingent on the employee undertaking to work for this body for a specified period after completing the training. The King may issue further rules regarding the implementation of

these provisions.

§ 3.8. Right to tuition in Sámi

Any person is entitled to receive tuition in Sámi. The King may issue further rules regarding the implementation of this provision.

As regards tuition in and through the medium of Sámi in primary and secondary school, the provisions made in and pursuant to the Act relating to Primary and Lower Secondary Education and the Act relating to Upper Secondary Education shall apply.

§ 3.9. The Sámi language in the municipal administration

The municipal council may decide that Sámi shall have the same status as Norwegian in all or parts of the municipal administration.

§ 3.10. Extention of the scope of these provisions

The King may decide that the provisions of this chapter which are limited to local or regional public bodies in the administrative district shall wholly or partially also apply to other public bodies or to private legal persons when they make decisions on behalf of the State or a municipality.

§ 3.11. Appeal

If a public body does not comply with the provisions of this chapter, the person directly concerned by the case may appeal to the body that is immediately superior to the body, which the appeal concerns. The county governor is the appeal body when the appeal concerns municipal or county municipal bodies.

Nation-wide Sámi organizations and national public bodies which have functions of particular importance for all or parts of the Sámi population have the right to appeal in such cases. The same applies in cases where no individual person is particularly affected.

§ 3.12. The Sámi Language Council

Sámi Language Council has been established. The Sameting appoints the members of the council and determines who is to be the chairman and vice-chairman of the council.

The King will issue further rules regarding the composition, organization, term of office, functions of the council.

CHAPTER 4

TRANSITIONAL RULES AND COMMENCEMENT

§ 4.1. Transitional rules

The Sameting is a further development of the Norwegian Sámi Council. The Sameting is to assume all the functions, rights and obligations of the Norwegian Sámi Council.

The King will issue rules regarding the summoning and order of business of the Sameting. These rules shall apply until the Sameting has established its rules of procedure pursuant to § 2.14.