

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY NORWAY

ARTICLE 7, PARAGRAPH 4 UNCAC

CONFLICT OF INTEREST

NORWAY (NINTH MEETING)

In Norway laws and guidelines to promote transparency and prevent conflict of interest have existed for some time. Below is a short presentation of some of the most relevant regulations:

- The Freedom of Information Act ensure the right to access to information from public administrative agencies and, to some extent, from private businesses.
- The Public Administration Act regulates prevention of conflicts of interest in the public administration. According to this law a public official shall be disqualified from preparing the basis for a decision or from making any decision in an administrative case if he himself is a party to the case; if he is or has been related to a party; if he is the head of, or holds a senior position in, or is a member of the board of directors or the corporate assembly of companies involved in the case in different ways. He is similarly disqualified if there are *any other special circumstances* which are apt to impair confidence in his impartiality; due regard shall inter alia be paid to whether the decision in the case may entail any special advantage, loss or inconvenience for him personally or for anyone with whom he has a close personal association.
- Civil servants are subject to the Civil service Act and Ethical guidelines for the Public Administration. Rules promoting openness and preventing conflict of interest can be found both in the law and in the Ethical guidelines. According to the Ethical Guidelines:
 - Civil servants shall not have other positions, assignments or ownership in financial instruments incompatible with their primary function, or that may impair the trust in public administration.
 - Accepting gifts and hospitality, that may influence their tasks as civil servants, is prohibited. Civil servants are also restricted from offering gifts and other benefits that may influence the receiver.
 - The Ethical guidelines also promotes openness about gifts and outside activities.
 - Equivalent rules on secondary positions and gifts apply to members of government and other political appointees.

- The ministry in charge of promoting trust and preventing conflict of interest in the public administration, has issued Guidelines for gifts in the public administration that can be helpful when assessing whether a gift may be acceptable.
- There are no sanctions in the Ethical guidelines, but breaches may be seen as misconduct, and sanctioned with suspension or dismissal according to the Civil Service Act. Illegitimate receiving of gifts is explicitly sanctioned accordingly in the law. If the misconduct is also a breach of rules in the Penal Code, criminal charge may be applicable.
- Post-employment restrictions are also regulated by law. According to these rules, politicians and public officials in leading positions that are entering positions outside the public administration or establishing a private business, may be subject to a cooling-off period.
- All the laws and ethical guidelines referred to are publicly available. New civil servants are introduced to ethical dilemmas as part of their initial training.