

Reference CU 2018/65/DTA/CEB – Information from Norway

1. Measures/steps taken to maintain and strengthen systems that promote transparency and prevent conflicts of interest (art 7 para 4)

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.

2. Measures and systems requiring public officials to make declarations to appropriate authorities regarding their outside activities, employment, investment, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials (art 8 para 5)

- A public declaration system of Members of Parliaments' outside appointments, activities and economic interests has existed for some time. Declaration duties are contained in the Regulation on the Register of Members of the Storting's Appointments and Economic Interests
- The register is regularly updated and accessible on the Storting's website.
- All remunerated activities and economic interests are to be declared, but only as regards their existence and nature.
- The following activities and interests must be disclosed:
 - Accessory posts and activities
 - Economic interest
 - Real property that is of considerable value and that is used for business purposes
 - Business interests (shares, stakes, etc.)
 - Gifts and travels abroad
 - Gifts or financial benefits of a value of more than 2 000 NOK (200 €), received from domestic or foreign donors in connection with work as an MP. The name of the donor, the nature of the benefit and the date when it was given are to be stated.
- According to the preamble of the regulation the duty to register activities, gifts etc, also apply to members of the government and other political appointees in the government.
- Information can also be found in trustworthy public registers providing information on companies (both on ownership and natural persons involved in the management), ownership to real estate and other objects, and shares. Financial information on all residents is available in the taxation register. Financial institutions are obliged to report information on accounts, account holders and account balances to the tax authorities annually.

