LOVDATA

Act relating to parliamentary and local government elections (Election Act)

Date	LOV-2002-06-28-57
Ministry	Ministry of Local Government and Modernisation
Entry into force	01.09.2002
Last consolidated	LOV-2021-03-12-8
Not yet incorporated	LOV-2020-06-23-113, LOV-2021-04-23-24
Last update	07.04.2021
Abbreviated title	Election Act
Original title	Lov om valg til Stortinget, fylkesting og kommunestyrer (valgloven)

Kapitteloversikt:

Chapter 1. The purpose and applicability of the Act

Chapter 2. Right to vote and electoral register

Chapter 3. Eligibility. Duty to accept election

Chapter 4. Electoral bodies

Chapter 5. (Repealed)

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Chapter 12. Election by majority ballot in the case of elections to the municipal council

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Chapter 14. New determination of election result during an electoral term. Filling a casual vacancy.

Chapter 15. Miscellaneous provisions

Chapter 16. Commencement and transitional provisions. Amendment of other Acts

Amendment acts incorporated in this text: This translation included all amendmend acts in force up to 15 June 2018, the last of which was Act 15 June 2018 No. 39 in force from 15 June 2018.
Incorporated since then: Act 22 June 2018 No. 83 (in force 1 November 2019), Act 12 March 2021 No. 8.

Amendment acts *not incorporated* in this text:
Act 23 June 2020 No. 113 (new section 6-3 a. Valid from 23 June 2020 to 1 January 2022.).
Act 23 April 2021 No. 24 (new sections 8-1a, 8-3a, 8-3b, 8-3c, 8-7, 9-3a, 9-3b, 9-3c, 9-3d, 9-6a, 9-11, 10-4a, 10-5a and 15-12. Valid from 23 April 2021 to 1 January 2022.).

This is an unofficial translation of the Norwegian version of the Act and is provided for information purposes only. Legal authenticity remains with the Norwegian version as published in Norsk Lovtidend. In the event of any inconsistency, the Norwegian version shall prevail.

The translation is provided by the Ministry of Local Government and Modernisation.

Chapter 1. The purpose and applicability of the Act

Section 1-1. *The purpose of the Act*

The purpose of this Act is to establish such conditions that citizens shall be able to elect their representatives to the Storting, county councils and municipal councils by means of a secret ballot in free and direct elections.

Section 1-2. *The applicability of the Act*

(1) This Act applies to the
a) election of representatives to the Storting
b) election of representatives to county councils and
c) election of representatives to municipal councils

(2) The applicability of the rules is apparent from the individual chapter or the individual provision.

Chapter 2. Right to vote and electoral register

Section 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.

Section 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 30 June 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.

Section 2-3. *Responsibility for keeping and updating the electoral register. Distribution of polling cards*

(1) The Ministry is responsible for ensuring that the electoral register is established and updated on the basis of information from the Population Registry Authority. The Ministry shall ensure that all municipalities have an electoral register of all persons entitled to vote in the municipality. A joint register shall be kept for local government elections.

(2) The final update of the electoral register based on information from the Population Registry Authority shall take place on the Saturday preceding Election Day.

(3) The Ministry shall ensure that polling cards are distributed to all persons entitled to vote who are registered in the municipality's electoral register and who have a residential address in Norway (with the exception of Svalbard and Jan Mayen).

Section 2-4. *In which municipal authority areas the electors shall be registered*

(1) Those who are entitled to vote and who are registered with a place of abode in Norway shall be included in the register of electors in the municipal authority area in which they were registered at the Population Registry as being resident on 30 June in the year of the election.

(2) Those who are entitled to vote on Svalbard and Jan Mayen shall be registered as electors in the municipal authority area in which they were last registered at the Population Registry as being resident.

(3) Those who are entitled to vote and who are resident outside Norway shall be included in the register of electors in the municipal authority area in which they were last registered at the Population Registry as being resident. Persons living abroad who have not been registered at the Population Registry as being resident in Norway at any time in the course of the last 10 years prior to Election Day, must nevertheless apply to the Electoral Committee to be included in the register of electors. Such applications must include an assurance that the person in question is still a Norwegian national.

(4) Persons living abroad who are members of the diplomatic corps or of the consular service and their households shall be registered as electors in the municipal authority area in which they were last registered as resident. Such registration is not conditional upon the duration of their stay abroad. If they have not at any time been registered at the Population Registry as resident in Norway, they shall be registered as electors in the municipal authority area of Oslo.

Section 2-5. *Responsibility of the Population Registry Authority*

(1) The Population Registry Authority shall, on its own initiative and in an appropriate manner, without being restricted by the legal duty of secrecy, make available to the election authorities

a) a preliminary electoral register based on the voting eligibility terms as of 2 January in the year of the election, for use in preparing the elections, and
b) information on who will be entered in the municipality's electoral register as of 30 June.

(2) The Population Registry Authority shall transfer updates to the preliminary electoral register and updates to the electoral register as of 30 June to the Ministry.

Section 2-6. *Availability of the electoral register for public inspection*

(1) The Electoral Committee shall make the electoral register available for public inspection as soon as possible. The electoral register shall be on display for such inspection up to and including Election Day.

(2) The Electoral Committee announces the time and place of display and also provides information about the entitlement to have any errors corrected and the procedure for so doing.

Section 2-7. *Demands for correction. Inclusion of eligible voters domiciled abroad*

(1) Any person who believes that he or she or any other person has been erroneously included in or omitted from the electoral register in the municipality may demand that the error be corrected.

(2) The demand shall be made in writing and grounds must be given, and shall be sent to the Electoral Committee in the municipality.

(3) The Electoral Committee shall ensure that a person entitled to vote who is living abroad and who has not been registered at the Population Register as being resident in Norway at any time in the course of the last ten years prior to Election Day, is entered in the electoral register for the municipality if the person in question applies for such entry before 5 p.m. on the day following the Election Day.

Section 2-8. *Notification of amendments to the electoral register*

The Electoral Committee shall as soon as possible send notification to any person who is affected by updating of the electoral register that has been undertaken on the basis of an application for inclusion, a demand for correction or the fact that the Electoral Committee has become aware of an error.

Section 2-9. *Regulations*

The Ministry may by Regulations issue provisions relating to

a) registration of voters, treatment and updating of the preliminary electoral register and electoral register as of 30 June, as well as excerpts of the electoral register for pilot purposes,
b) access to and use of copies of the register of electors and

c) production, design, distribution and use of polling cards, including the Electoral Committee's obligations in connection with the production and distribution.

Chapter 3. Eligibility. Duty to accept election

Section 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 disqualified 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.

Section 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 submitted a written declaration that he or she does not wish to be on the electoral list in question.

(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.

Section 3-3. *Eligibility at local government elections*

(1) Eligible to the county council and bound to accept election is any person who is entitled to vote at the election and who is listed in the Population Registry as resident in one of the municipal authority areas of the county on Election Day, and who is not subject to any legal incapacity or exempt.

(2) Eligible to the municipal council and bound to accept election is any person who is entitled to vote at the election and who is listed in the Population Registry as resident in the municipal authority area on Election Day, and who is not disqualified or exempt.

(3) Disqualified from election to county councils or municipal councils are:
a) the county governor and the assistant county governor, and
b) persons who in the municipal or county authority in question are
- chief municipal executive or his or her alternate
- heads of municipal affairs, heads of department and managers at the equivalent level,
- secretaries of the municipal councils or county councils,
- persons responsible for the accounting function,
- the person who performs the audits of the municipality or county authority.

(4) In county authorities or municipal authorities that have a parliamentary form of government, any persons employed in the secretariat of the executive board who have had authority delegated to them by the board are not eligible.

(5) Whether a person shall be disqualified from election depends on whether the person in question holds the post at the time at which the county council or the municipal council commences its functions.

Section 3-4. *Right to claim exemption from election to the county council and the municipal council*

(1) The right to claim exemption from local government elections is held by any person who declares in writing that he or she does not want to be candidate for election on the electoral list in question.

(2) The declaration referred to in subsection (1) must be submitted within the deadline set by County Electoral Committee or the Electoral Committee, otherwise the right to be deleted from the list proposal is lost.

(3) Any person who fails to claim exemption from inclusion on a list cannot refuse to receive votes.

Chapter 4. Electoral bodies

Section 4-1. *Electoral committee*

In every municipal authority area there shall be an electoral committee that is elected by the municipal council itself.

Section 4-2. *Polling committees*

If polling is to take place in several places in the municipal authority area, a polling committee with no fewer than three members shall administer polling in each place. The municipal council may delegate the appointment of polling committees to the Electoral Committee.

Section 4-3. *County Electoral Committee*

In every county in the case of parliamentary elections and elections to the county council there shall be a County Electoral Committee that is elected by the county council itself.

Section 4-4. *National Electoral Committee*

(1) In those years in which parliamentary elections are held, the King appoints a National Electoral Committee. The National Electoral Committee shall distribute those seats in the Storting that are seats at large.

(2) The National Electoral Committee shall have no fewer than five members with alternates. The King appoints the chairman and vice-chairman, and determines who shall function as assistants in this work.

(3) The meetings of the National Electoral Committee are open to the public.

Chapter 5. (Repealed)

0 The chapter has been repealed with effect from 1 January 2006 by Act of 17 June 2005 No. 102 pursuant to Decree of 17 June 2005 No. 635.

Chapter 6. Requirements concerning and treatment of list proposals

Section 6-1. *Requirements concerning list proposals*

(1) The closing time and date for submission of list proposals is 12 p.m., 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.

Section 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 constituency. 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.

Section 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 constituency 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 responsible for the constituency 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 constituency 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.

Section 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.

Section 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 12 pm, 20 April in the year of the election.

Section 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.

(4) If it is unclear who is entitled to represent a registered political party at the local level the electoral authorities shall obtain and use as their basis a statement from the party's executive body, cf. section 3 (2) litre b of the Political Parties Act.

(5) 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.

Section 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.

Section 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.

Section 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

Section 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 on 10 August.

(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 on 10 August.

Section 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 proceeding according to the instructions on the ballot paper.

(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 eligible 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.

Section 7-3. *Regulations*

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

Chapter 8. Voting in advance

Section 8-1. *The period for voting in advance. Requirements relating to the number of returning officers*

(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 inland, including on Svalbard and Jan Mayen, must take place no later than the last Friday before Election Day, and advance voting abroad must take place no later than the penultimate Friday before Election Day. To ensure that advance voting abroad arrives in time, the Governor may decide that advance voting on Svalbard shall be concluded at an earlier time.

(3) The elector is personally responsible for casting the advance vote on a date that enables the advance vote to be received by the Electoral Committee before 5 p.m. on the day following the Election Day.

(4) Electors who are in the realm, with the exception of Svalbard and Jan Mayen, and who cannot cast a vote in the advance voting period or during the electoral proceedings can apply to the municipal authority and cast their vote from 1 July and up to the start of advance voting on 10 August of the election year.

(5) During the advance voting in Norway, except on Svalbard and Jan Mayen, there must be at least two returning officers present when receiving advance votes from 10 August.

Section 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) Any candidate who appears on an electoral list in a municipal council election is ineligible for appointment as a returning officer in the municipality in question. Any candidate who appears on an electoral list in a parliamentary election or county council election is ineligible for appointment as a returning officer in the constituency in question.

(4) Voters who are outside the realm and unable to visit a returning officer may cast a vote by letter post without a returning officer being present when the votes are cast.

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

(1) Voting shall take place in suitable and accessible premises. Voters must be able to enter the polling stations unassisted. Other premises shall not be used unless special reasons exist.

(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.

Section 8-4. *Procedure for voting*

(1) The voter shall in a secluded room and unobserved fold the ballot paper up in such a manner that it is not possible to see which electoral list the voter is voting for.

(2) Voters registered in the electoral register in the municipality shall themselves drop the ballot paper into a ballot box, after receiving a stamp on the ballot paper. The returning officer places a cross in the electoral register by the elector's name.

(3) During power outages or interruption of communication with the electoral register, ballot papers must not be put in the ballot box. When the ballot paper has been stamped, the voter in person personally places it in a ballot paper envelope and seals the envelope. The returning officer places the ballot paper envelope and the polling card in a contingency envelope.

(4) The Electoral Committee may, in special cases, determine that some advance voting stations shall use ballot paper envelopes. When the ballot paper has been stamped, the voter in person places it in a ballot paper envelope and seals the envelope. The returning officer puts the ballot paper envelope, along with the polling card, in a cover envelope.

(5) When receiving a vote from a voter registered in the electoral register in a different municipality, the ballot paper shall not be placed in the ballot box. When the ballot paper has been stamped, the voter in person places them in a ballot paper envelope and seals the envelope. The returning officer puts the ballot paper envelope, along with the polling card, in a cover envelope. The cover envelope shall be sent to the municipality where the voter is registered in the electoral register.

(6) A voter who is unknown to the returning officer shall provide proof of identity. In the event that voting takes place at an institution, the voter's identity may instead be confirmed by a member of staff who provides proof of his/her own identity.

(7) Stamps used in advance voting must be distinguished from stamps used in the election proceedings. It must not emerge from the stamp in which municipality the vote was cast.

(8)) A voter who is unable to vote alone due to physical or mental disability, may, at his or her own request, receive assistance from a returning officer or another person who the voter him/herself has selected. A returning officer shall inform the helper that he or she has a duty of secrecy. A returning officer shall decide whether the voter satisfies the requirements for receiving assistance.

(9) Ballot boxes used in advance voting in Norway shall be sealed.

Section 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.

Section 8-6. *Regulations*

The Ministry may issue Regulations concerning the conduct of advance voting.

Chapter 9. Time of elections. Voting at election proceedings

Section 9-1. *Time of the elections*

(1) Parliamentary elections shall be held in all municipal authority areas on one and the same day in the month of September in the final year of the electoral term of each Storting.

(2) Local government elections shall be held in all municipal authority areas on one and the same day in the month of September every four years. The elections are held in the second year of each Storting's term of office.

Section 9-2. *Fixing Election Day*

(1) Before each election the King fixes Election Day on a Monday.

(2) The municipal council may itself resolve that in one or more places in the municipal authority area polling shall also take place on the Sunday before the official polling day.

Section 9-3. *Time and place of voting. Organisation*

(1) The municipal council, or the Electoral Committee under delegated authority, decides into how many polling districts the municipal authority area shall be divided. The Norwegian Mapping Authority shall be informed of any changes in the division into polling districts by 31 March in the year of the election.

(2) The Electoral Committee determines where and when voting shall take place. Voting shall take place in suitable and accessible premises. Voters must be able to enter the polling stations unassisted. Other premises shall not be used unless special reasons exist. The municipal council may itself, with endorsement from at least 1/3 of its members, resolve to keep the polling stations open longer than stipulated by the Electoral Committee. The resolution must be passed no later than at the same time as the budget for the year in which the election is to be held. Voting on Monday must not take place later than 9 pm.

(3) The Electoral Committee announces the time and place of polling.

(4) Any candidate who appears on an electoral list in a municipal council election is ineligible for appointment as a returning officer or election official in the municipality in question. Any candidate who appears on an electoral list in a parliamentary election or county council election is ineligible for appointment as a returning officer or election official in the municipalities in the constituency in question.

Section 9-4. *Rules relating to public order*

(1) At the polling station and in the rooms that the elector must pass through to reach the polling station it is not permitted to engage in canvassing or to perform any actions that may disturb or prevent the normal conduct of the electoral proceedings. It is not permitted for unauthorised persons to keep check of who comes to vote or to undertake investigations of voters or any similar questioning of the voters.

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

(3) The chairman or vice-chairman of the polling committee may if necessary remove any person behaving in a manner contrary to the provisions of this section.

Section 9-5. *Voting inside the polling station*

(1) When the election proceedings open, electors who appear in the register of electors in the municipal authority area are admitted to cast their vote in the order in which they arrive.

(2) The polling committee place a cross in the register of electors by the elector's name. An elector who is unknown to the returning officer shall provide proof of identity.

(3) The elector shall in a secluded room and unobserved fold the ballot paper together in such manner that it is not possible to see for which electoral list the elector is voting. The elector hands the ballot paper to the polling committee, who stamp it with an official stamp. The elector in person drops the ballot paper into a ballot box.

(4) Electors who do not appear in the relevant section of the register of electors shall not place their ballot paper in the ballot box. After the ballot paper has been stamped, the elector shall in person place it in a ballot paper envelope and give it to the polling committee. The polling committee place the ballot paper envelope in a cover envelope, seal it and write on it the elector's name, residential address and date of birth.

(5) A voter who is unable to vote alone due to physical or mental disability, may, at his or her own request, receive assistance from a returning officer or another person who the voter him/herself has selected. A returning officer shall inform the helper that he or she has a duty of secrecy. If a member of the polling committee or an election official at the polls is of the view that the voter does not satisfy the requirements for receiving assistance, the polling committee will decide whether the voter satisfies the requirements.

(6) Ballot boxes used for voting on Election Day shall be sealed.

Section 9-5 a. *Use of online electoral register on Election Day*

(1) The municipalities themselves may resolve to use an online electoral register for crossing off voters. Section 9-5, subsection (4) therefore does not apply. Section 9-5, paragraph four therefore does not apply.

(2) If use of the online electoral register is introduced pursuant to subsection (1), the polling committee shall cross off in the online electoral register for both voters who are registered in the electoral register in the polling district in question and voters who are registered in the electoral register in other polling districts in the municipality.

(3) When using the online electoral register, voters who are not registered in the electoral register in the polling district where the vote is cast, must submit the ballot paper to the polling committee who will then stamp it with an official stamp. The voters themselves must place the ballot papers in a ballot box. Ballot papers from voters who are registered in the electoral register of a different polling district to where the votes were cast, shall be counted in the polling district where the votes were cast.

(4) In the event of power outages or interruption of communication with the electoral register in a municipality where use of online electoral register has been introduced, subsequently cast ballot papers must not be placed in the ballot box. These ballot paper shall be treated as contingency votes. After the ballot paper has been stamped, the voter him/herself places it in a ballot paper envelope and seals the envelope. The returning officer shall place the ballot paper envelope in a contingency envelope together with the polling card. In municipalities with two-day elections, any contingency votes received on Sunday shall be processed and crossed off in the online electoral register before the polling stations open on Monday.

Section 9-6. *Voting outside the polling station*

If an elector is not able to get into the polling station, the person in question may give his or her vote to two returning officers immediately outside the polling station.

Section 9-7. *Conclusion of polling*

Polling stations are to be closed at the hour that has been laid down. Electors who are at such time present in the polling station shall be allowed to vote.

Section 9-8. *Keeping and transportation of election materials*

All election materials shall be kept and transported in a safe manner.

Section 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 9.00 pm on Election Day Monday.

Section 9-10. *Regulations*

The Ministry may issue Regulations concerning the organisation and conduct of polling at election proceedings, and the keeping and transportation of election materials.

Chapter 10. Validation of the ballots cast and ballot papers, counting of votes, keeping of the record etc.

Section 10-1. *The Electoral Committee's approval of advance votes cast in a ballot paper envelope*

(1) An advance ballot shall be approved if
a) the elector is included in the register of electors in the municipal authority area,
b) the ballot cast contains sufficient information for it to be determined who the elector is
c) the ballot was cast at the right time,
d) the ballot cast was delivered to the right returning officer unless it was cast as a postal vote,
e) the cover envelope has not been opened and no attempt has been made to open it,
f) the elector has not cast an approved ballot,
g) the ballot cast has reached the Electoral Committee by 5 p.m. on the day after Election Day.

(2) An elector's vote is approved when the person in question has been crossed off in the register of electors.

(3) The ballots cast in advance shall be approved before Election Day in so far as this is possible.

Section 10-1 a. *The returning officer's approval of an advance vote that is placed in a ballot box*

(1) A vote cast in advance pursuant to section 8-4 second subsection shall be approved if
a) the voter is included in the electoral register in the municipality
b) the voter was given the opportunity to cast a vote, and
c) the voter has not already cast an approved vote.

(2) A voter's vote is approved when the person in question has been crossed off in the electoral register.

Section 10-2. *Approval of ballots cast at election proceedings*

(1) A ballot cast at election proceedings shall be approved if
a) the elector is included in the register of electors in the municipal authority area,
b) the elector has had the opportunity to vote, and
c) the elector has not already cast an approved ballot.

(2) An elector's vote is approved when the person in question has been crossed off in the register of electors.

Section 10-3. *Approval of ballot papers*

(1) A ballot paper shall be approved if
a) it bears a public stamp,
b) it is clear to which election the ballot paper applies,

c) it is clear for which party or group the elector has voted, and
d) the party or group has put up a list in the constituency. A ballot paper intended for another constituency may be approved only if it applies to a registered political party.

(2) A ballot paper that has been cast is deemed to be identical with the official electoral list.

(3) Where the elector has used a printed ballot paper that is not identical with the official electoral list, any changes made by the elector shall be disregarded.

Section 10-4. *Principles for the counting of ballot papers*

(1) The Electoral Committee is responsible for the counting of ballot papers. The count is performed by such persons and in such manner as the Electoral Committee has determined.

(2) Separate counting of ballot papers may be performed only if that part or those parts of the electoral register to which the count applies contains or contain no fewer than 100 names.

(3) In the case of elections to the county council and to the municipal council the ballot papers shall be counted separately. The ballot papers may be counted at the same time provided that this does not lead to any delay in the determination of the result of the election to the county council.

(4) Ballot papers cast in advance and ballot papers cast at election proceedings shall be counted separately.

(5) The ballot papers shall be counted in two rounds, with a provisional and a final count.

Section 10-5. *Provisional count*

(1) Provisional counting of ballot papers cast in advance shall commence no later than four hours before polling has been concluded at all polling stations in the municipal authority area provided that this may take place without any contravention of the principle of a secret ballot. Otherwise it shall commence as soon as all the ballots cast in advance have been approved.

(2) Provisional counting of ballot papers cast at election proceedings shall commence as soon as possible after polling at such election proceedings has been concluded.

(3) If a provisional count is performed by the Electoral Committee, ballots cast at election proceedings at other polling places in the municipal authority area than the place in which the elector is included in the register of electors, should be dealt with before the provisional count commences. Approved ballot papers among these shall be counted together with the rest of the ballot papers. The condition is that this may be done without undue delay for the count.

(4) Ballot papers with respect to which there is doubt as to whether they may be approved are to be set aside and kept out of the count.

(5) The provisional number of votes polled by each list is to be found by counting the number of ballot papers cast for each list.

Section 10-6. *Final count. Registration of corrections to the ballot papers*

(1) The final count begins immediately after the provisional count has been concluded and all the votes have come in to the Electoral Committee. The final count shall be performed under the scrutiny of the Electoral Committee.

(2) The ballot papers from the provisional count shall be counted again. The Electoral Committee decides whether ballot papers that were not included in the provisional count and votes that the polling committees have placed under separate cover shall be approved. Approved ballot papers among these shall be counted together with the rest of the ballot papers.

(3) At the final count of ballot papers for municipal elections the Electoral Committee also registers any corrections electors have made on the ballot papers. Thereafter the Electoral Committee shall find the number of list votes polled by the individual lists. Each ballot paper counts for as many list votes as the number of members to be elected to the municipal council. The figure is corrected for list votes cast for and received from other lists.

(4) In the case of parliamentary elections and county elections the County Electoral Committees shall in connection with the determination of the election result register any corrections electors have made on the ballot papers. The number of votes cast for each list is found by counting how many ballot papers have been cast for each list, added together for all the municipal authority areas in the constituency.

Section 10-7. *Keeping the record of elections*

(1) The polling committee shall keep records relating to the conduct of election proceedings.

(2) The Electoral Committee shall keep records relating to the preparations and conduct of elections.

(3) The County Electoral Committee shall keep records relating to the checking of the Electoral Committee's conduct of parliamentary elections and county elections, and the determination of the election result. In the case of parliamentary elections a certified copy of the County Electoral Committee's Record Book shall be sent to the Storting and to the National Electoral Committee.

Section 10-8. *Forwarding of material in the case of parliamentary elections and county elections*

(1) In the case of parliamentary elections and county elections the Electoral Committee shall as soon as possible send the following material to the County Electoral Committee:

a) all approved ballot papers, sorted as uncorrected and corrected, those that were cast at election proceedings and those that were cast separately in advance,
b) all votes cast and ballot papers that the Electoral Committee has rejected,
c) all cover envelopes from the polling in advance abroad and on Svalbard and Jan Mayen,
d) a certified transcript of the records kept in connection with the election, and
e) a copy of appeals that have come in.

(2) The municipal authority of Oslo shall send such material as is mentioned in subsection (1) above to the County Governor as soon as the final result in the case of a parliamentary election has been determined.

(3) The material shall be packed in good order and in properly sealed packaging and sent in the swiftest safe manner.

Section 10-9. *Checking by the County Electoral Committee in the case of parliamentary and county elections*

(1) The County Electoral Committee shall check the conduct of parliamentary elections and county elections in the municipal authority areas on the basis of the material it is sent in pursuance of section 10-8. Where the County Electoral Committee finds errors in the Electoral Committee's decisions to approve or reject votes cast or ballot papers, or errors in the Electoral Committee's counting, such errors shall be corrected.

(2) In the municipal authority of Oslo the checking of parliamentary elections is performed by the County Governor. Where the County Governor finds errors in the Electoral Committee's decisions to approve or reject votes cast or ballot papers, or errors in the Electoral Committee's counting, such errors shall be entered in the records. A certified copy of the County Governor's records shall be sent to the Storting and the National Electoral Committee.

Section 10-10. *Regulations*

The Ministry may issue Regulations concerning the validation of the ballots cast and ballot papers, concerning the counting of ballot papers and concerning the keeping of records of elections.

Chapter 11. Distribution of seats and returning of members

Section 11-1. *Constituencies for parliamentary elections*

(1) The country is divided into 19 constituencies. The members and alternate members shall be elected in the following constituencies:

a) Østfold constituency
b) Akershus constituency
c) Oslo constituency
d) Hedmark constituency
e) Oppland constituency
f) Buskerud constituency
g) Vestfold constituency
h) Telemark constituency
i) Aust-Agder constituency
j) Vest-Agder constituency
k) Rogaland constituency
l) Hordaland constituency
m) Sogn og Fjordane constituency
n) Møre og Romsdal constituency
o) Sør-Trøndelag constituency
p) Nord-Trøndelag constituency
q) Nordland constituency
r) Troms constituency
s) Finnmark constituency

(2) The Ministry issues regulations concerning which municipalities constitute the different constituencies.

Section 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.

Section 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 constituency that has the largest quotient. Seat No. 2 goes to the constituency that has the second largest quotient and so forth. If two or more constituencies have the same quotient, the parliamentary seat goes to the constituency that has the highest distribution figure. If they have the same distribution figure, the constituency to which the seat is to go is determined by lot.

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

Section 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 each of the constituencies in the county and allocate the constituency's constituency seats to the lists. The distribution of seats is done according to Sainte-Laguës's modified method.

(3) Sainte-Laguës'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.

Section 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.

Section 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. If two or more parties have the same quotient, the seat goes to the party with the largest number of votes. If they have the same number of votes, the party to which the seat is to go is determined by lot.

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

a) For each constituency and for each party that has won at least one seat at large, the party's total vote polled in the constituency is taken as a starting point. If the party has not won any constituency seat, the party's total vote polled in the constituency 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 constituency. The party's total vote polled or the quotients arrived at are divided by the average number of votes per constituency seat in the constituency in question.
b) The quotients arrived at for all constituencies 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 constituencies 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 constituency which after the calculation above has the largest quotient. Seat at large No. 2 is allocated to that party and that constituency which has the second largest quotient and so forth.
d) When a constituency has been allocated a seat at large, that constituency 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 constituencies and the remaining parties until all the seats at large have been allocated.

Section 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.

Section 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.

Section 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 constituencies, 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 constituency in which he or she is entitled to vote, or ' if the person in question is not entitled to vote in any constituency – the constituency 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.

Section 11-10. *Distribution of seats and returning of members at elections to the county council*

(1) The County Electoral Committee shall perform the determination of the election result in the case of elections to the county council. The distribution of seats takes place in accordance with Sainte-Laguës's modified method in accordance with section 11-4 of this Act.

(2) When it has been decided how many seats an electoral list shall have, the County Electoral Committee allocates the seats to the candidates on the list. Candidates who are not eligible are disregarded. Candidates on the list who have won a total personal vote of not less than eight per cent of the total vote polled by the list are returned in sequence according to the number of personal votes received. Remaining candidates are returned on the basis of their sequence on the list.

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

(4) Where en electoral list gains more seats than there are eligible candidates on the list, the surplus seats are allocated to the remaining lists in accordance with the provision of subsection (1) above.

Section 11-11. *Notification of the members of the county council returned*

The County Electoral Committee shall notify the members and alternates returned of their election.

Section 11-12. *Distribution of seats and returning of members at elections to the municipal council*

(1) The Electoral Committee shall perform the determination of the election result in the case of elections to the municipal council. The total votes polled by the lists shall be taken as the basis for the distribution of seats, which takes place in accordance with Sainte-Laguës's modified method in accordance with section 11-4 of this Act.

(2) When it has been decided how many constituency seats an electoral list shall have, the Electoral Committee allocates these to the candidates on the list. Candidates who are not eligible are disregarded. Candidates whose names are in boldface are given the increased share of the poll to which they are entitled in accordance with subsection (3) of section 6-2 of this Act, before the personal votes the electors have given to the candidates are counted. Thereafter the candidates are returned in sequence according to the number of personal votes received. If two or more candidates have received an equality of votes, or no votes, the sequence on the list is decisive.

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

(4) Where en electoral list gains more seats than there are eligible candidates on the list, the surplus seats are allocated to the remaining lists in accordance with the provision of subsection (1) above.

Section 11-13. *Notification of the members of the municipal council returned*

The Electoral Committee shall notify the members and alternates returned of their election.

Chapter 12. Election by majority ballot in the case of elections to the municipal council

Section 12-1. *Conditions for an election by majority ballot*

(1) An election of members of the municipal council is held by majority ballot where in a municipal authority area there is not more than one approved list proposal.

(2) The Electoral Committee announces that the election is to be held by majority ballot and issues information concerning what rules apply to the election.

Section 12-2. *Procedure at elections by majority ballot*

(1) Electors vote with the same ballot paper for members and alternates.

(2) The ballot paper may contain no more than as many names as there shall be elected members of the municipal council, and as many alternates.

Section 12-3. *Determination of the election result in the case of elections by majority ballot*

(1) At the determination of the election result those votes that have been cast for members are counted first. Where no distinction has been made on the ballot paper between members and alternates, those listed first are regarded as members in the number permitted, and the following names as those of alternates in the number permitted. Where a ballot paper contains more names listed as representatives or alternates than the number permitted, the excess names that are listed last in order are disregarded.

(2) A name may only be listed once on each ballot paper.

(3) Those who poll most votes are elected.

(4) Those who poll most votes when the votes for members and alternates are counted together, are elected as alternates in the order shown by the number of votes cast and in such number as corresponds to that of the members.

(5) If two or more candidates poll equally many votes, the outcome is determined by lot.

Chapter 13. Review of the validity of elections. Appeal

Section 13-1. *Appeal in the case of parliamentary elections*

(1) Any person who is entitled to vote may appeal against matters relating to the preparation and conduct of the parliamentary election in the constituency in which the person in question 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.

(2) Any appeal must be brought within seven days after Election Day. An appeal against the County Electoral Committee's determination of the election result must be brought within seven days after the result of the election has been determined.

(3) The appeal shall be in writing and shall be addressed to the Electoral Committee, the County Electoral Committee, the County Governor, the Ministry or the Administration of the Storting.

(4) The Storting is the appeal body for appeals concerning the right to vote or the right to cast a vote. The National Election Committee shall make a statement to the Storting on the appeals case. The National Election Committee is the appeal body for other appeals. The National Election Committee shall forward its decisions on the appeal cases to the Storting.

Section 13-2. *Appeal in the case of local government elections*

(1) Any person who is entitled to vote may appeal against matters relating to the preparation and conduct of elections to the county council in the county in which the person in question is included in the register of electors, and in the case of elections to the municipal council in the municipal authority area in which the person in question 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.

(2) Any appeal must be brought within seven days after Election Day. An appeal against the determination of the result of the election must be brought within seven days after the result of the election has been approved in the county council or the municipal council.

(3) The appeal shall be in writing and shall be addressed to the Electoral Committee in the municipal authority area for elections to the municipal council and to the County Electoral Committee in the case of elections to the county council. Where the appeal relates to matters of importance for both elections, it is deemed to apply to both and may be addressed either to the Electoral Committee or to the County Electoral Committee.

(4) The Ministry is the appeal body. The Ministry shall declare invalid the election of members to the county council in a municipal authority area or in the whole county or the election of members of a municipal council in a municipal authority area if any error has been committed which may be deemed to have had an influence on the allocation of seats to the lists, and which it is not possible to correct. The Ministry's decisions in appeal cases under this section are final and may not be brought before the courts.

Section 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 constituency 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 constituency has been declared invalid, the Storting orders a new election. In special cases the Storting may order new elections in the whole constituency even if the error does not apply to all the municipal authority areas in the constituency.

Section 13-4. *Review of local government elections. Invalid elections – new elections*

(1) The newly returned county council decides whether the election of members of the county council is valid. The newly returned municipal council decides whether the election of members of the municipal council is valid.

(2) The county council shall declare the election of members of the county council in a municipal authority area or in the whole county invalid if any error has been committed which may be deemed to have had an influence on the allocation of seats to the lists, and which it is not possible to correct.

(3) The municipal council shall declare the election of members of the municipal council in the municipal authority area invalid if any error has been committed which may be deemed to have had an influence on the allocation of seats to the lists, and which it is not possible to correct.

(4) Where the county council or the municipal council declares an election invalid, a report shall be sent to the Ministry, which orders a new election. In special cases the Ministry may order new elections in the whole county even if the error does not apply to all the municipal authority areas in the county.

(5) The provisions of chapter 27 of the Local Government Act relating to review of legality apply correspondingly. The time limit for submitting an application for review of legality is nevertheless seven days after the county council or the municipal council has passed a resolution in pursuance of subsection (1) above.

Section 13-5. *Conduct of new elections*

(1) In the case of a new election the register of electors from the original election is used. The register of electors shall be updated and any errors corrected.

(2) Where it is necessary out of consideration for the appropriate conduct of a new election, the Ministry may make exceptions from the provisions of this Act.

Chapter 14. New determination of election result during an electoral term. Filling a casual vacancy.

Section 14-1. *New determination of the result of an election to the Storting*

(1) The County Electoral Committee shall, on the orders of the Storting, perform a new determination of the election result if a member's seat in the Storting remains vacant.

(2) The County Electoral Committee issues credentials for any person who is elected a member or alternate in pursuance of subsection (1) above. The credentials specify which number in the sequence the elected member shall have. For an alternate they specify which member or members the person in question shall replace, and the number in the sequence of alternates. The credentials are to be sent to the Storting. Otherwise section 11-9 applies correspondingly.

Section 14-2. *New determination of the election result and filling a casual vacancy in the case of local government elections*

(1) The chairman of the county council or the chairman of the municipal council shall ensure that the County Electoral Committee or the Electoral Committee performs a new determination of the election result if a member's seat in the county council or the municipal council remains vacant.

(2) A new determination of the election result shall also be performed when an alternate's seat has become vacant, where the chairman of the county council or the chairman of the municipal council find this necessary.

(3) If the number of alternates or of a group's alternates has become insufficient, and the matter cannot be resolved by means of a new determination of the election result pursuant to subsection (2) above, the group in question may itself choose the person who shall take over the vacant seat as an alternate. Thereafter the group informs the County Electoral Committee or the Electoral Committee, who elect the person in question as an alternate provided the conditions for eligibility are satisfied.

(4) Where the election of members to the municipal council has been held by majority ballot, the candidate for the vacant seat is chosen by the municipal council. The second sentence of subsection (3) above applies correspondingly.

(5) Otherwise sections 11-11 and 11-13 apply correspondingly.

Chapter 15. Miscellaneous provisions

Section 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.

Section 15-2. *Keeping, disposal and destruction of election materials*

Keeping, disposal and destruction of election materials after the election is over shall take place in accordance with the provisions of the Records and Archives Act and the Regulations issued in pursuance thereof.

Section 15-3. *Access to the register of electors and the other material – freedom of information*

(1) Unless otherwise provided by this Act or in Regulations, access to or transcripts of copies of the electoral register, including those used for the purpose of crossing off, may only be granted or supplied
a) to any public servant where this is necessary out of consideration for the service, or
b) to researchers for scientific purposes where consent has been given by the Population Registry Authority.

(2) Access to the rest of the election material may only be granted to researchers for scientific purposes and with the consent of the authority concerned.

Section 15-4. *Duty of secrecy*

(1) The provisions of the Public Administration Act relating to the duty of secrecy apply correspondingly in the case of elections.

(2) Any person who assists an elector in the process of casting a vote and gains knowledge of how the person in question has voted has a duty of secrecy in respect thereof.

Section 15-5. *Calculation of time limits. Exceeding of time limits*

(1) Where a date that is the basis of a time limit falls on a Saturday or public holiday, the time limit begins to run from the first working day thereafter.

(2) Where the closing date of a time limit falls on a Saturday or public holiday, the time limit expires on the first working day thereafter.

(3) The provisions of the first and second subsections above apply correspondingly in those cases in which a date that is the earliest or latest point in time for the performance of any act under this Act falls on a Saturday or public holiday.

(4) A report, declaration or appeal made after a time limit has been exceeded under this Act may only be taken up for consideration if the failure to respect the time limit was due to circumstances which were beyond the control of the person with a duty to respect the time limit, and which were also such that the person in question could not foresee them.

Section 15-6. *Duty to provide information*

Any public servant has a duty in so far as this is possible to provide the electoral authorities with any information they might demand for use in the preparation and conduct of elections.

Section 15-7. *Statements for election statistics*

The County Electoral Committees and the Electoral Committees have a duty to provide such statements as the Ministry or Statistics Norway find necessary for the publication of election results or for the production of election statistics.

Section 15-8. *Municipal authorities that constitute a separate county*

(1) The provisions of this Act relating to county council elections do not apply in those cases in which a municipal authority constitutes a separate county and in which county council elections are therefore not held.

(2) Nevertheless in these municipal authority areas as well voters who are entitled to vote in a municipal authority area that constitutes a part of another county shall be entitled to cast an advance vote for the election of the county council.

Section 15-9. *Expenses that are covered by the public treasury*

The public treasury covers expenses incurred by local authorities in the conduct of their statutory activity in connection with parliamentary elections.

Section 15-10. *Monitoring of elections*

(1) The Ministry may accredit national and international election observers from institutions or organisations to monitor the conduct of elections to the Storting or to municipal and county councils.

(2) The municipalities have an obligation to accept accredited election observers and pave the way for monitoring of elections.

Section 15-11. *Fine for contravention*

(1) In the event of wilful or negligent contravention of Section 9-9 of the Election Act, the Media Authority may impose upon an enterprise a fine for contravention of up to 28 times the basic amount in the National Insurance Scheme. In this context 'enterprise' means a company, cooperative enterprise, society or other association, sole trader, foundation, estate or public enterprise.

(2) In assessing the amount of the fine, special emphasis shall be placed on
a) the seriousness of the contravention
b) whether the enterprise could have prevented the contravention through guidelines, instruction, training, checks or other measures,
c) whether the contravention was committed to promote the interests of the enterprise,
d) whether the enterprise has had or could have benefited from the contravention,
e) whether there has been repeated contravention, and
f) the financial capacity of the enterprise.

(3) The contravention fine accrues to the public treasury and is enforceable by execution.

(4) The King may not issue general instructions about the enforcement of the provision to the Media Authority or the Appeal Board, nor may the King issue orders concerning execution of authority in individual cases or reverse decisions.

(5) Decisions concerning imposed contravention fines may be appealed to an independent Appeal Board appointed by the King. The Board shall have three members. The King determines who shall be the chairman of the Board.

(6) The Appeal Board cannot reverse a decision made by the supervisory body of its own initiative.

(7) The Ministry may through regulations provide more detailed rules concerning the implementation of provisions in this section, including concerning the appointment and composition of the Appeal Board and concerning collection of and the deadline for payment of fines.

Chapter 16. Commencement and transitional provisions. Amendment of other Acts

Section 16-1. *Commencement*

(1) This Act comes into force from such date as the King decides.[1]

(2) From the same date the Representation of the People Act 1985 (Act of 1 March 1985 No. 3) is hereby repealed with the exception of section 83.[2]

1 From 1 September 2002 pursuant to Decree of 28 June 2002 No. 646.

2 Section 83 was repealed by Act of 20 June 2003 No. 45, II.

Section 16-2. *Transitional provisions*

(1) The provisions of paragraph (d) of subsection (2) of section 5-2 do not apply to parties that were registered in accordance with the Representation of the People Act 1985 (Act of 1 March 1985 No. 3), provided such parties apply for registration in the Register of Political Parties no later than 2 January 2005. Any party that has not applied for registration within this time limit will lose the sole right to the name of the party after the parliamentary election in 2005.

(2) In order to be able to put up list proposals under the name in which the party was registered in accordance with section 17 of the Representation of the People Act 1985 (Act of 1 March 1985 No. 3) the party must be registered in the Register of Political Parties.

Section 16-3. *Amendment of other Acts*

From the date on which the present Act comes into force, the following amendments are hereby made in the Local Government Act 1992 (Act of 25 September 1992 No. 107): – – –