

REGULATIONS CONCERNING THE ENTRY OF FOREIGN NATIONALS INTO THE KINGDOM OF NORWAY AND THEIR PRESENCE IN THE REALM (IMMIGRATION REGULATIONS)

Passed by Decree No.1017 of the Crown Prince Regent on 21 December 1990 pursuant to Act No. 64 of 24 June 1988 concerning the entry of foreign nationals into the Kingdom of Norway and their presence in the realm (Immigration Act).

Commencement 1 January 1991.

Updated with amendments which most recently came into force on 1 January 2000.

CHAPTER 1. GENERAL PROVISIONS

Scope and extent, cf. § 1 of the Act

§ 1. Scope and extent

The Act and these Regulations apply to the entry of foreign nationals into the Kingdom of Norway and their presence in the realm, cf. § 1 first paragraph.

The Act and these Regulations apply to any foreign national connected with diplomatic or paid consular missions (representations) in the realm, to any foreign national employed by inter-state organisations and to any foreign national commissioned to do work for inter-state organisations or for bodies acting under convention, to the spouse or cohabitant and any dependent child of any such person and to any foreign national who is in the private service of any such person as is mentioned, with the exceptions and amplifications provided by § 145 to § 150. The same applies to any foreign national who is a member of the ancillary staff at a diplomatic or consular mission.

The Act and these Regulations are to have application on the Norwegian sector of the continental shelf and for Jan Mayen with the exceptions and amplifications provided by § 151 to § 155.

The Act and these Regulations do not apply to Svalbard unless otherwise provided by § 156.

The Act and these Regulations do not apply to Norwegian ships engaged in foreign trade unless otherwise provided by § 157.

For any foreign national who is included under the EEA Agreement special provisions have been issued in Chapter 8 of the Act and in these Regulations, cf. § 158 to § 183. In addition the provisions of the other chapters apply as far as they are appropriate.

Obligations pursuant to this Act and these Regulations may also be imposed upon any Norwegian national, cf. § 1 second paragraph of the Act.

Provisions concerning the regulation of immigration, cf. § 5 second paragraph of the Act

§ 2. General immigration regulatory conditions for work permits and residence permits

In order for the first issue of a work permit to be granted to any such applicant as is mentioned in § 3 to § 5a with the exception of § 3 second paragraph (c), § 4a first paragraph (f) and § 5a, the following conditions must be satisfied:

- (1) There must be a concrete offer of employment set out on the prescribed form from an employer, or a standardised contract of service signed by the applicant and the employer must be presented. The offer of employment must be open on the date specified. An employer with a place of business in the realm must be responsible to the immigration authorities pursuant to the Act and these Regulations. If an employer has no place of business in the realm, an agent with a place of business in the realm must guarantee the offer to the employee and be responsible to the immigration authorities.
- (2) Pay and working conditions must not be less favourable than those provided by a current collective agreement, pay scale or what is otherwise normal for the place and occupation concerned. The Directorate of Immigration may issue further guidelines in consultation with the Directorate of Labour.
- (3) As a general rule it must be a question of full-time work for one employer.

Any permit granted to any such applicant as is mentioned in § 3 second paragraph, § 4a, § 5 and § 5a shall be linked to a specific job and a specific place of work. When particular grounds so indicate, such restrictions may also be laid down in other cases.

In order for the first issue of a work permit or a residence permit to be granted to any such applicant as is mentioned in § 3 to § 5a the applicant must have reached the age of 15. When the applicant is between the ages of 15 and 18, consent must be obtained from a parent or any other person exercising parental responsibility for the applicant.

In order for the first issue of a work permit to be granted to any such applicant as is mentioned in § 4 to § 5a, considerations for foreign policy, security or immigration policy must not indicate the contrary and the purpose of the applicant's residence must be in conformity with the permit for which application is being made.

§ 2 a. Transition between permits

Even where the conditions laid down for the first issue of a work permit are satisfied, any foreign national who has or has had leave to reside in pursuance of § 4 first paragraph is nevertheless not entitled to such a permit until a period of residence of five years has been completed outside the realm, with the exception of any permit issued pursuant to § 5 first paragraph (a). Leave may be refused where this is deemed to be in accordance with the conditions under which a permit was granted for the first time in pursuance of § 4. Any foreign national from any region laid down by the Ministry of Justice in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development, and the Ministry of Labour and Government Administration may nevertheless be granted a permit in pursuance of § 4a and § 5 third paragraph (a).

Any foreign national who has or has had any permit issued in pursuance of the special guidelines for applicants from regions laid down by the Ministry of Justice in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development, and the Ministry of Labour and Government Administration, issued under § 4a first paragraph (c) or second paragraph (a), is not as a general rule granted a work permit for the first time in pursuance of § 3 second paragraph and § 5 first paragraph (b) and third paragraph (b) and (c) until a period of residence of five years has been completed in the country of origin.

Any foreign national coming under § 4a third paragraph is not as a general rule granted a new permit in pursuance of § 4a until a period of residence of five years has been completed in the country of origin.

The Directorate of Immigration may issue further guidelines.

§ 3. Immigration regulatory conditions for permits which may constitute a basis for a settlement permit

It is a condition for any work permit or any residence permit issued pursuant to § 18 that the applicant

- (a) was born of parents of whom at least one was a Norwegian national at the time of the applicant's birth, or
- (b) has been permanently employed by any Norwegian shipping company and had a post on board any ship registered in the Norwegian Ordinary Register (NOR) for at least four of the last six years before application is made.

Correspondingly it is a condition for a work permit that the applicant

- (a) is a skilled worker or has special qualifications. Where particular considerations so indicate, higher-level training is required. The Ministry may issue further guidelines. It is a condition that this competence is deemed necessary for the activity and that the post cannot be filled with resident labour or labour from the European Economic Area. The offer of employment shall normally apply for at least one year. A statement shall be obtained from the relevant county employment office and if necessary from the authority responsible for approving such qualifications and may furthermore be obtained from the relevant interest organisations,
- (b) comes under the employment scheme of the Organisation for Economic Co-operation and Development (OECD). A statement shall be obtained from the relevant county employment office,
- (c) shall establish and run permanent business activity in the realm, and leave has been granted by the relevant authority in accordance with any other legislation. It must be shown that there is an economic foundation for the business. A detailed description of the nature of the activity must be submitted together with financing and budget plans and an advance assurance that the necessary leave will be granted by any other authority. A statement shall be obtained from the relevant county employment office, which will if necessary obtain statements from any trade or professional association, or
- (d) has been appointed to a professorship or another academic post of approximately the same level at a Norwegian public university or university college.

Any permit issued pursuant to this section may be renewed and may constitute a basis for a settlement permit and is in this connection without restrictions, cf. § 12 of the Act.

§ 4. Immigration regulatory conditions for residence permits which may not constitute a basis for a settlement permit

It is a condition for a residence permit pursuant to § 18 that the applicant has an assurance of admission to an educational institution. In consultation with the Ministry of the Church, Education and Research the Directorate of Immigration issues guidelines concerning which educational institutions and courses of study are recognised. It is a condition that this education is the purpose of the stay and that it is a question of full-time education. A plan for this education shall be submitted on a prescribed form. Unless otherwise stated in the permit, it is a prerequisite that the applicant shall return to his country of origin on completion of such education and that at the time of application circumstances are conducive to the applicant's return. The Directorate of Immigration may issue separate guidelines for applicants from regions laid down by the Ministry of Justice in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development, and the Ministry of Labour and Government Administration.

Correspondingly it is a condition for a residence permit for a total period not exceeding four years that the applicant is a foreign national under the auspices of the Norwegian Research Council in pursuance of a cultural agreement between Norway and another state or a fellowship programme under the auspices of the Norwegian Research Council.

Correspondingly it is a condition for a residence permit for a total period not exceeding two years that the applicant

- (a) is a researcher and shall be at a university, institute etc. for the purpose of research. It is a condition that the stay is financed by the applicant's own means,
- (b) is a creative artist by profession and produces evidence of the probability that a stay in the realm will be of importance to the applicant's development as an artist,
- (c) disseminates knowledge of Norway and Norwegian culture abroad and shall continue to do so, and produces evidence of the probability that a stay in the realm will be of importance for this activity, or
- (d) is to engage in sport in the realm and that this activity is the purpose of the stay. The stay must be necessary out of consideration for the establishment or further development of a sport. A statement shall be obtained from Norges Idrettsforbund [Norwegian Sports Federation]

Any permit issued under this section may be renewed. Such permit does not constitute a basis for a settlement permit.

§ 4 a. Immigration regulatory conditions for work permits which may not constitute a basis for a settlement permit

It is a condition for a work permit pursuant to § 18 for a total period not exceeding four years that the applicant shall be

- (a) a researcher, research fellow or lecturer at a research institute or educational institution,
- (b) a person working in an established organisation the purpose of which is to engage in activity of an ideal or humanitarian nature. It is a condition either that the need for foreign labour is deemed to be essential to the activity, or that the activity in Norway is part of an international exchange programme,
- (c) a person whose work is necessary for the performance of contracts or the development of Norwegian industry. The Directorate of Immigration may issue further guidelines and may issue special guidelines for applicants from any region laid down by the Ministry of Justice in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development, and the Ministry of Labour and Government Administration,
- (d) a person employed in a foreign state company or multinational company in the realm who is a higher-level skilled worker or has special qualifications, when such competence is deemed to be absolutely necessary for the activity,
- (e) a missionary for a religious community of some size engaging in activity which comes within the framework established by Act No. 25 of 13 June 1969 concerning religious communities and various other matters, or employed by such an organisation to engage in preaching activity. The requirement that the religious community must be of some size may be waived where documentary evidence is produced to show that there is a particular need for a missionary,
- (f) a journalist or other personnel working for a foreign newspaper, radio station or television station, when the applicant is employed and paid by a foreign employer, or
- (g) a person who is active in sport and who is himself to participate in the exercise of sport at a high level, or who is to be a sports trainer at a high level. It is a condition that the applicant has practised corresponding sport or had equivalent work abroad in recent years, and that such competence is deemed to be absolutely necessary for the activity. A statement shall be obtained from Norges Idrettsforbund [Norwegian Sports Federation].

Correspondingly it is a condition for a work permit for a total period not exceeding two years that the applicant shall be

- (a) a trainee, and that the contract of service satisfies conditions laid down by the Directorate of Immigration in consultation with the Directorate of Labour. The Directorate of Immigration may issue special guidelines for applicants from any region laid down by the Ministry of Justice in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development, and the Ministry of Labour and Government Administration, or
- (b) au pair, and that the contract of service satisfies conditions laid down by the Directorate of Immigration in consultation with the Directorate of Labour.

Any foreign national from any region laid down by the Ministry of Justice in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development, and the Ministry of Labour and Government Administration who has or has had any permit in pursuance of § 4 first paragraph or in pursuance of the special guidelines issued pursuant to the first paragraph (c) of this section or to the second paragraph (a) of this section may not as a general rule be granted any permit in pursuance of this section for a total period exceeding four years.

Any permit issued pursuant to this section may be renewed. Such permit does not constitute a basis for a settlement permit.

§ 5. Immigration regulatory conditions for permits which are not renewable

It is a condition for a work permit for a period not exceeding one year issued pursuant to § 18 that the applicant

- (a) has completed his education in Norway. The applicant must produce documentary evidence that the work is of considerable relevance to the exercise of the occupation in the applicant's country of origin, or
- (b) is a musician, entertainer, artist or necessary accompanying assistant, and that a contract is presented covering an engagement for a specific, continuous period of time with one or more employers. The Directorate of Immigration may issue further guidelines in consultation with the Directorate of Labour, or
- (c) is to work in any activity that has a need for unskilled manpower which for the time being cannot be covered on the domestic labour market or with manpower from the EEA Area, and that the county employment office concerned consents in accordance with further guidelines laid down laid down by the Directorate of Immigration in consultation with the Directorate of Labour. The Ministry of Justice has in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development and the Ministry of Labour and Government Administration laid down that the applicants must be Russian nationals from the Barents Region. The same ministries lay down which industries manpower may be recruited to in pursuance of this provision.

Correspondingly it is a condition for a residence permit for a period not exceeding one year that the applicant

- (a) has received the firm offer of a place at a college of further education [folkehøgskole] or at a denominational or sectarian college. The Directorate of Immigration in consultation with the Ministry of the Church, Education and Research issues guidelines concerning which colleges are recognised. It is a prerequisite that the applicant shall return to his country of origin on completion of the college year and that at the time of application circumstances are conducive to the applicant's return,
- (b) has an offer of medical treatment at an institution providing such treatment in Norway. A statement from the institution concerning the presumed duration of the treatment and any necessary medical after-care must accompany the application together with documentary evidence of a contract with the institution to the effect that the treatment shall be financed by private means or public funds from the applicant's country of origin. Documentary evidence of private means must be provided in the form of a deposit, bank guarantee or insurance, and documentary evidence of public funds must be provided in the form of confirmation from the authority concerned in the applicant's country of origin. A statement must be submitted from the institution providing the treatment to confirm that the treatment will not be given to the disadvantage of patients resident in Norway. It is a prerequisite that the applicant shall return to his country of origin on completion of treatment, or
- (c) is deemed by the medical institution concerned to be required to accompany any such foreign national as mentioned in sub-paragraph (b) of this paragraph.

Correspondingly it is a condition for a work permit for a period of employment not exceeding three months that the applicant

- (a) shall work in typically seasonal activity or in connection with ordinary holiday arrangements, and that the relevant employment office consents in accordance with further guidelines laid down by the Directorate of Immigration in consultation with the Directorate of Labour. A permit is not granted for a longer period than three months reckoned from the date on which the foreign national entered the realm,
- (b) is a skilled worker or has special qualifications, where this competence is deemed necessary for the activity and the applicant does not come under the exception in § 8 second paragraph (c). Where particular considerations so indicate, higher-level training is required. The Ministry may issue further guidelines. If it is apparent that there will be a permanent need for such labour, or if during the last six months a permit has been issued for the performance of the same kind of work for the same employer, a permit shall not be granted unless special grounds so indicate. A statement shall be obtained from the relevant county employment office,
- (c) comes as a working guest in agriculture through an organisation, in accordance with guidelines laid down by the Directorate of Immigration in consultation with the Directorate of Labour, or
- (d) is a school pupil and has been invited by a municipality for the purpose of working therein. It is a condition that the host municipality provides financial security for the applicant, and that it has established co-operation with the municipality from which the applicant comes. The Directorate of Immigration may issue further guidelines. Such applicants must be from regions laid down by the Ministry of Justice in consultation with the Ministry of Foreign Affairs, the Ministry of Local Government and Regional Development, and the Ministry of Labour and Government Administration.

Any permit issued pursuant to this section may not be renewed and does not constitute a basis for a settlement permit. Any permit issued pursuant to the first paragraph (c) of this section may be renewed within the one-year period. Any permit issued pursuant to the third paragraph of this section may be extended within the three-month period and may in extraordinary cases also be further extended by a period not exceeding one month.

Any foreign national who has held a permit pursuant to the first paragraph (c) of this section is not granted a new permit pursuant to this provision until a period of two years has been spent outside the realm. Any foreign national who has held a permit pursuant to the third paragraph (a) of this section, is not granted a new permit pursuant to this provision until a period of nine months has been spent outside the realm.

§ 5a. Immigration regulatory conditions for special leave to work for Russian nationals from the Barents Region

It is a condition for a work permit for a period not exceeding one year pursuant to § 18 that the applicant shall engage in trade at a market in Northern Norway for up to one day per month and that he holds a municipal sales licence for such trading.

Correspondingly it is a condition for a work permit for a period not exceeding two weeks that the applicant shall engage in trade at a market in Northern Norway in connection with a municipal cultural arrangement.

For both permits it is a condition that the municipality concerned has provided financial security for the applicant. The Directorate of Immigration issues further guidelines.

Any permit issued in pursuance of this section may not be renewed and does not constitute a basis for a settlement permit.

Any Russian national who has had a permit pursuant to the second paragraph of this section is not granted a new permit pursuant to this provision until he has completed a period of residence of five months outside the realm.

CHAPTER 2. WORK, RESIDENCE AND SETTLEMENT ETC.

Permits for work and residence, cf. § 6 of the Act

§ 6. Requirement concerning work permits

Any foreign national who intends to take work with or without remuneration or who wishes to be self-employed in the realm must have a work permit unless an exception has been made by § 8.

§ 7. Requirement concerning residence permits

Any foreign national who intends to take up residence in the realm for more than three months without taking work must have a residence permit, unless an exception has been made by § 8. Residence in another Nordic country counts equally with residence in Norway, cf. § 6 second paragraph of the Act.

The period of residence for any foreign national who does not need a visa, cf. § 105, runs from the date on which the Nordic outer border was crossed, cf. Article 1 third paragraph of the Nordic Passport Control Convention of 12 July 1957. Residence in Norway or another Nordic country in the course of the last six months prior to the moment of entry shall be subtracted from the new three-month period. If the foreign national holds a residence permit in another Nordic country, entry takes place when the Norwegian border is crossed. In this case only residence in Norway during the last six months shall be included.

For any foreign national who needs a visa the permitted period of residence will be apparent from the visa which has been issued, cf. § 107.

§ 8. Exemptions from the requirement concerning work permits or residence permits

The following foreign nationals are exempt from the requirement concerning work permits or residence permits:

- (a) Nordic nationals, cf. § 6 third paragraph of the Act,
- (b) personnel on any foreign train, aircraft, bus or lorry on any international route,
- (c) necessary duty and maintenance crew on any ship laid up in the realm.

The following foreign nationals are exempt from the requirement concerning work permits for employment for a period not exceeding three months:

- (a) commercial travellers and those travelling on business,
- (b) researchers, lecturers etc. who are invited by a teaching or research institution or an association working for a professional or idealistic cause,
- (c) technical experts, technicians, fitters, consultants or instructors who are to install, dismantle, check, repair or maintain any machine or technical equipment or provide information on the use thereof. It is a prerequisite that the need for this labour does not exceed three months,
- (d) any foreign national in the private service of any person who is resident in the realm on a visit for a period not exceeding three months,
- (e) professional sportsmen and sportswomen,
- (f) public servants paid by their own country, when they come to the realm on the basis of a co-operation agreement between their own country and Norwegian authorities,
- (g) journalists or other personnel working for any foreign newspaper, radio station or television station, when they are in the service of and remunerated by a foreign employer,
- (h) tourist guides accompanying foreign travel companies during any visit to the realm.

Any foreign national who is a musician, entertainer, artist or necessary accompanying assistant is exempt from the requirement concerning work permits for assignments which in total do not exceed ten days in the course of a calendar year.

For any such foreign nationals as is mentioned in the first paragraph (c), the second paragraph (c) and the third paragraph the provisions of § 52 otherwise apply.

§ 9. Scope of application for § 10 - § 17

The provisions of § 10 - § 17 apply to the first issue of a work permit or a residence permit granted pursuant to

- (a) § 8 first paragraph of the Act, cf. § 18,
- (b) § 8 second paragraph of the Act, cf. § 21, §21a and § 24,
- (c) § 9 of the Act, cf. § 22,
- (d) § 17 and § 18 of the Act, cf. § 63,
- (e) § 22 of the Act, cf. § 81.

§ 10. Requirement that the first issue of a work permit or a residence permit must take place before entry

The first issue of a work permit or a residence permit must take place before entry, cf. § 6 fourth paragraph of the Act.

This does not apply to any applicant who

- (a) is mentioned in § 3 first paragraph (a) or who is the spouse, cohabitant or child, cf. § 23 first paragraph (a), (b) and (c) of any such applicant,
- (b) is mentioned in § 3 first paragraph (b), when the person concerned resigns in the realm or travels here immediately after resigning abroad,
- (c) is the spouse or cohabitant of a Norwegian or Nordic national resident in the realm or of a foreign national resident in the realm holding a settlement permit or a permit that may constitute a basis for a settlement permit, when the spouse or cohabitant comes under § 23 first paragraph (a) or (b),
- (d) is the child or adopted child, cf. § 23 first paragraph (c) and (d) of a Norwegian or Nordic national resident in the realm or of a foreign national resident in the realm holding a settlement permit or any permit that may constitute a basis for a settlement permit,
- (e) is a child born in the realm, when the child comes under § 23 first paragraph (c),
- (f) is mentioned in § 23 first paragraph (i),
- (g) is mentioned in § 24 fourth paragraph,
- (h) is in the realm holding an individual permit to work in a group, cf. § 29 last paragraph,
- (i) is protected against refoulement pursuant to § 15 first paragraph of the Act,
- (j) is included under the EEA Agreement, has entered the realm, cf. § 158 first paragraph, and is applying for any permit pursuant to Chapter 2 of the Act, or
- (k) satisfies the conditions for collective protection in a situation of mass outflow, cf. § 8a of the Act.

The requirement that the first issue of a work permit must take place before entry does not apply to any applicant who

- (a) is mentioned in § 5 first paragraph (a), or
- (b) is mentioned in § 5 third paragraph (b).

The Directorate of Immigration may issue guidelines and make exceptions to the requirement that the first issue of a work permit or a residence permit must take place before entry for

- (a) any applicant who is mentioned in § 4 first paragraph, when the applicant comes through an organisation or is participating in an exchange scheme under the auspices of the EU or between a Norwegian and foreign institution of higher education,
- (b) any applicant who is mentioned in § 4 second paragraph,
- (c) any applicant who is mentioned in § 4 third paragraph (a),
- (d) any applicant who is mentioned in § 4a first paragraph (a),
- (e) any applicant who is mentioned in § 4a second paragraph (a), when the applicant comes through an organisation or is participating in an exchange scheme under the auspices of the EU,
- (f) the spouse or cohabitant or any child, cf. § 23 first paragraph (a), (b), (c) and (e) of any applicant who comes under the present paragraph (a), (b), (c) and (d) of this section.

The Directorate of Immigration may otherwise make exceptions to the requirement that the first issue of a work permit or of a residence permit must take place before entry when strong reasonable grounds so indicate.

When the applicant does not satisfy the conditions for applying from the realm, the application is rejected on that ground. The same applies when the applicant does not satisfy the conditions for entry into the realm before any permit has been granted.

§ 11. Procedure for applications for work permits or residence permits, cf. § 6 fourth paragraph of the Act

Any application for a work permit or a residence permit is to be submitted on a prescribed form. The application shall be accompanied by a photograph of the applicant and bear the applicant's signature.

Any application submitted abroad is to be delivered to a Norwegian foreign service mission in the country of which the applicant is a national or to a Norwegian foreign service mission in the country in which the applicant has had a work permit or a residence permit the last six months.

Any application submitted from the realm is to be delivered to the police in the district in which the applicant has his or her fixed place of abode.

The Directorate of Immigration may in individual cases and for groups of applicants consent to applications being submitted in a different manner.

§ 12. Dealing with applications for work permits and residence permits

The authority which receives the application shall obtain all the information about the applicant that is deemed necessary for the case to be as clearly documented as possible before any decision is made. If the application is delivered in another country than that of which the applicant is a national, the authority which receives the application shall obtain information about the applicant's basis for residence in the country concerned.

The applicant must provide proof of identity in the form of a passport or other identity document issued by a public authority and shall be required to document other information supplied when this is deemed necessary. It may be demanded that the applicant shall hand in the application in person.

The authority which receives the application makes sure that it is correctly filled in and that the application is accompanied by the necessary enclosures. An endorsement shall be made stating how the applicant's identity has been confirmed, cf. also § 128a.

When an application is granted, the foreign national shall be made aware of the duty to report to the police no later than one week after entry and to present oneself for examination for tuberculosis, cf. § 51.

The police inscribe the work permit or residence permit in the foreign national's travel document. If this is not possible, the permit is inscribed on a separate document, which is only valid as documentation together with the travel document. In both cases the rule is that

the permit is not inscribed for longer than the period of validity of the travel document. Any restrictions or conditions shall be apparent from the inscription. As a general rule the foreign national must appear in person to have the permit inscribed.

If the foreign national is not in possession of a valid travel document, the permit is inscribed on a separate document from which it shall be apparent that the foreign national is not in possession of a valid travel document. Any restrictions or conditions shall be apparent from the inscription. The final sentence of the fifth paragraph of this section applies correspondingly.

§ 13. Power of decision

Decisions concerning work permits or residence permits are made by the Directorate of Immigration, cf. § 6 fifth paragraph of the Act.

Where application is made from the realm and there is no doubt that the conditions are satisfied, the police may grant an application

- (a) for a permit to do part-time work and work in holidays pursuant to § 17,
- (b) from any such applicant as is mentioned in § 3 first paragraph (a) and (b) and § 5 third paragraph,
- (c) for a residence permit for a child born in the realm, where the child comes under § 23 first paragraph (c),
- (d) from any such applicant as is mentioned in § 10 fourth paragraph, in accordance with further guidelines laid down by the Directorate of Immigration,
- (e) from the spouse or cohabitant of any Norwegian national resident in the realm, when the applicant comes under § 23 first paragraph (a) or (b),
- (f) from the spouse or cohabitant when the conditions in § 25 fourth paragraph (c) are satisfied.

§ 14. Provisional permit

When the following conditions are satisfied, the Directorate of Immigration may give any foreign national a provisional permit to enter employment while an application for the first issue of a work permit is being dealt with:

- (1) The employer must be able to document the need for prompt appointment.
- (2) It must be highly probable that the application will be granted. If necessary, a statement must be obtained from the manpower authorities.
- (3) The applicant must have followed ordinary application procedure and the application must have been received by the Directorate of Immigration.

Even where the conditions in the first paragraph are not satisfied, the Directorate of Immigration may give any foreign national who comes under § 10 fourth paragraph a provisional work permit or residence permit. Such a permit may be issued by the police in accordance with further guidelines laid down by the Directorate of Immigration.

It shall be apparent from the permit that it is provisional. The permit has no relevance to the decision on the application nor to the calculation of the period of residence pursuant to § 44.

The provisions of this section do not apply to any permit issued pursuant to § 17.

Chapters IV to VI of the Public Administration Act do not apply to any decision concerning a provisional permit.

The content of any work permit or residence permit, cf. § 7 of the Act

§ 15 The duration of leave

On the first occasion leave to work or to reside is normally granted for one, two or three years, cf. § 7 first paragraph of the Act.

On the first occasion leave to work pursuant to § 4 second and third paragraphs, and leave to work pursuant to § 4a first paragraph may be granted for two years.

On the first occasion leave to work or to reside pursuant to § 21 first to third paragraphs and § 63 first paragraph may be granted for three years. If there is any doubt concerning the truth of the information supplied in the application, leave is granted for one year. The same applies where the applicant has failed to produce documentary evidence of his identity.

Otherwise leave is granted on the first occasion for one year.

Leave is not granted for any period beyond the period of time for which leave is sought. Leave may be granted for another period than a number of whole years where the purpose of the work or residence is limited to this period, or where other grounds so indicate. Where the need is temporary, leave pursuant to § 21 may be granted for a shorter period than one year.

The duration of any permit issued in pursuance of § 22 or § 24 shall not exceed the date of expiry of the leave granted to the principal person (the person who has or is granted leave on an independent basis).

With the exception of any travel document issued by a Norwegian authority the foreign national's travel document must normally be valid for at least two months beyond the period for which leave is granted.

In respect of the leave the date of the last possible day of entry is to be laid down in relation to the basis of the permit. The date of the last possible day of entry shall not be set later than six months after the decision is made unless particular grounds indicate an exception.

The date of reporting to the police, cf. § 51, provides the basis for calculating the duration of any permit on the first occasion. For any foreign national applying from the realm, cf. § 10, the date of the decision provides the basis for calculating the duration of the permit.

§ 16. The content of any permit

Any work permit or residence permit confers the right to reside in the whole of the realm unless otherwise stated on the permit, cf. § 7 second paragraph of the Act.

Any condition or restriction imposed shall be apparent from the permit.

Any work permit confers general entitlement to take work and to be self-employed in the whole of the realm unless otherwise stated on the permit, cf. § 7 third paragraph of the Act.

Any work permit or residence permit confers entitlement to repeated entry into the realm during the period for which it is valid, cf. § 112 second paragraph.

§ 17. Leave to take part-time work and work during holidays

Any foreign national who has a residence permit may be given a permit to work part-time and during holidays, cf. § 7 fourth paragraph of the Act.

It is a prerequisite that there is a concrete offer of employment.

A permit to take part-time work may be issued for a number of hours per week corresponding to up to a half-post in the occupation concerned, but not more than 20 hours per week. Leave may be granted for full-time work during the ordinary holidays.

Leave to take part-time work shall only be granted to any such foreign nationals as is mentioned in § 4 first paragraph provided that the application is accompanied by a statement from the educational institution concerned to the effect that this is not deemed to be detrimental to completion of the course of education. Any such foreign national may also be given a permit to take full-time work for a limited period when the work is part of his education or an absolutely necessary prerequisite for admission to further education in the same area of study.

Where the applicant is under the age of 18, there must be consent by a parent or any other person exercising parental responsibility for the applicant. Any applicant under the age of 15 may be given a permit where the conditions laid down in and in pursuance of Chapter IX of the Working Environment Act relating to work performed by children and young persons are satisfied.

Any foreign national who has a work permit may be given leave to work in his free time for any association of which the purpose is to engage in idealistic or humanitarian activity.

Any permit issued pursuant to this section shall be linked to a specific job and a specific place of work.

Work permits or residence permits issued pursuant to § 8 first paragraph of the Act

§ 18. Right to a permit

Any foreign national who satisfies the conditions of § 8 first paragraph (1) and (2), cf. § 19 and § 20 and the immigration regulatory conditions which are laid down by § 2 to § 5a has on application the right to a work permit or a residence permit, unless there are other circumstances which pursuant to the Act will give grounds for refusing the foreign national leave to enter the realm, to reside or to work, cf. § 8 first paragraph (3) of the Act.

§ 19. Requirements concerning subsistence when first application is made

Any foreign national who applies for a work permit or a residence permit must be ensured subsistence for the period of time to which the application applies, cf. § 8 first paragraph (1) of the Act.

Subsistence is deemed to be ensured when the foreign national

- (a) will receive an earned income of sufficient size. Income from full-time work is generally deemed to be sufficient,
- (b) receives a pension or other permanent periodical benefits, when these are of sufficient size,
- (c) has private means which are deemed to be sufficient. The Directorate of Immigration may demand that a specified sum shall be transferred to a Norwegian bank and it may wholly or partly freeze this sum for a specific period of time, or
- (d) will receive a student loan or scholarship of sufficient size.

Subsistence is also deemed to be ensured through a combination of (a) to (d), when this is sufficient. If the applicant satisfies the conditions for the grant of leave to work pursuant to § 17 and there is a concrete offer of employment, the anticipated income is also included in the assessment of whether the subsistence requirement is satisfied. Nevertheless this does not apply to any income from such work as is mentioned in § 17 sixth paragraph.

For any permit issued pursuant to § 3 second paragraph (c) it is a prerequisite that subsistence is in the main ensured through the business activity.

Subsistence may exceptionally be deemed to be ensured by a financial guarantee put up by a third party.

Benefits under Act No. 81 of 13 December 1991 concerning Social Services etc. are not deemed to be subsistence.

§ 20. Requirements concerning housing when first application is made

Any foreign national applying for a work permit or a residence permit must be ensured housing for the period of time to which the application applies, cf. § 8 first paragraph (1) of the Act.

Housing is deemed to be ensured when the foreign national has the use of a house, flat, room etc. which satisfies the requirements of the health authorities.

The contractual aspects of the housing arrangements are checked by the police. If it is a question of rented accommodation, a written lease must be presented, approved by the landlord, housing co-operative or any other person having charge of the accommodation.

Leave to work or leave to reside for a principal person pursuant to § 8 second paragraph of the Act

§ 21. Leave to work or leave to reside for any principal person pursuant to § 8 second paragraph of the Act

Any foreign national who is protected against refoulement pursuant to § 15 of the Act and who is not granted asylum pursuant to § 17 of the Act, cf. § 16 of the Act, shall be given a work permit or a residence permit pursuant to § 8 second paragraph of the Act.

Where any foreign national has had an application for asylum rejected and does not come under the first paragraph either, the authority with the power of decision shall on its own initiative consider whether the provisions of § 8 second paragraph of the Act should be applied, cf. § 15 second paragraph of the Act.

Leave to work or leave to reside pursuant to § 8 second paragraph of the Act may otherwise be granted where other strong humanitarian considerations so indicate or the foreign national has a particular connection with Norway. Generally subsistence and housing must be ensured in accordance with the provisions of § 19 and § 20.

It is a prerequisite for a work permit that the conditions of § 2 third paragraph are satisfied.

When the need is temporary or other special grounds so indicate, the permit may be issued without any possibility of renewal. It may further be laid down that it shall not be able to constitute a basis for family reunification and/or for a settlement permit. If no such restrictions are laid down, a permit issued pursuant to this section may be renewed and constitute a basis for a settlement permit.

§ 21 a. Leave to work or leave to reside for any principal person pursuant to § 8 second paragraph of the Act, cf. § 8 a of the Act concerning collective protection in a situation of mass outflow

Any foreign national who is included in a situation of mass outflow and who comes to the realm or is in the realm when it is decided that the provisions of § 8 a of the Act are to apply, may on application be granted protection on the basis of a group assessment (collective protection), cf. § 8 a second paragraph of the Act. This means that the foreign national is granted leave to work or leave to reside pursuant to § 8 second paragraph of the Act. Such leave does not constitute a basis for a settlement permit.

Any such foreign national as is mentioned in the first paragraph of this section may be provided with a registration certificate. The provisions of § 57 and § 58 apply in so far as they are appropriate.

For leave to work and leave to reside the provisions of § 10 to § 12 and § 15 to § 17 apply. It is a prerequisite for a work permit that the conditions in § 2 third paragraph are satisfied.

Any permit may be renewed or extended for a period not exceeding three years from the date on which the applicant was issued with a permit for the first time provided the power to afford collective protection has not ceased to apply. For renewal and extension the provisions of § 32, § 33, § 36, § 38, § 39, § 40 and § 42 apply.

If the power to afford collective protection has not ceased to apply when the period of time mentioned in the fourth paragraph of this section expires and if the conditions otherwise are satisfied, the foreign national has on application the right to a permit that may constitute a basis for a settlement permit.

Any decision concerning the first issue of a permit or the renewal or extension thereof is to be made by the Directorate of Immigration, which may empower the police to issue a permit, cf. § 8 a fifth paragraph of the Act.

For any application for asylum from any foreign national who has been issued with any permit in pursuance of the first paragraph of this section the provisions of § 55 a apply.

Leave to work or leave to reside for family members etc. pursuant to § 9 and § 8 second paragraph of the Act

§ 22. Leave to work or leave to reside for the closest family members pursuant to § 9 of the Act

The closest family members, cf. § 23, of any Norwegian or Nordic national resident in the realm or of any foreign national who has or is granted lawful residence in the realm with a settlement permit or any permit that may constitute a basis for a settlement permit have on application the right to a residence permit or to a work permit. It is a prerequisite that subsistence is ensured in accordance with the provisions of § 25 and there are no other circumstances which under the Act will give grounds for refusing the foreign national leave to enter the realm, to reside or to work, cf. § 8 first paragraph (3) of the Act. Such a permit may constitute a basis for a settlement permit.

The closest family members of any such foreign national as is mentioned in § 21 a have on application the right to a residence permit or to a work permit. It is a prerequisite that subsistence is ensured in accordance with the provisions of § 25. Such a permit does not constitute a basis for a settlement permit unless the principal person's permit constitutes a basis for a settlement permit.

The closest family members of any such foreign national as is mentioned in § 4, § 4a, § 5 first paragraph (a) and (b), § 29 fourth paragraph, § 151 fourth paragraph and § 152 sixth paragraph may be granted leave to reside. A member of the family of any such foreign national as is mentioned in § 4 a may also be given a work permit. A member of the family

of any foreign national with a residence permit or work permit pursuant to § 21 which cannot constitute a basis for a settlement permit may be given a residence permit and may also be given a work permit when the principal person has a work permit. It is a prerequisite that subsistence is ensured in accordance with the provisions of § 25.

It is a prerequisite for any work permit that the conditions in § 2 third paragraph are satisfied.

The duration of the permit shall not extend beyond the expiry of the permit held by the principal person, cf. § 15 sixth paragraph. The permit may be renewed in conformity with the permit held by the principal person. With respect to any permit for family members of any Norwegian or Nordic national resident in the realm the provisions of § 15 fourth and last paragraphs and § 38 third and fifth paragraphs apply.

§ 23. Those who are the closest family members

Those who are considered to be the closest family members, cf. § 22, are:

- (a) spouse. Both parties must be over the age of 18 unless the marriage was entered into in Norway. It is a condition that the spouses shall live together. Any person who is granted a residence permit in the realm after having entered into lawful marriage with several persons may only consider one of these as his or her spouse. Any person who has leave to reside in the realm and enters into lawful marriage abroad with more than one person may only consider the first marriage partner as his or her spouse. Any person who has leave to reside in the realm and enters into lawful marriage abroad with a person who is married cannot consider the person concerned as his or her spouse.

The provisions of these Regulations that relate to marriage and spouses apply correspondingly to registered marriage partnerships between persons of the same sex and registered marriage partners of the same sex, cf. § 3 second paragraph of Act No. 40 of 30 April 1993 concerning registered marriage partnerships between persons of the same sex,

- (b) cohabitant. Both parties must be over the age of 18, have lived together in a permanent and established relationship as cohabitants for at least two years and intend to continue their cohabitation. It is a condition that neither of the parties is married,
- (c) child, cf. the second paragraph of this section, when both parents have or are granted lawful residence in the realm,
- (d) child, cf. the second paragraph of this section, who are adopted in pursuance of foreign law or who will be adopted in pursuance of Act No. 8 of 28 February 1986 concerning the adoption of children, when the parents are considered to be resident in the realm. Consent must have been given by the Government Adoption Office before the child has entered the realm,
- (e) child, cf. the second paragraph of this section, when only one of the parents lives in the realm, unless consideration for the best interests of the child indicates that it should not be granted residence in the realm. It is a condition that the person resident in the realm has or shares parental responsibility. If parental responsibility is shared, consent must as a general rule have been obtained from the other parent. Any child over the age of 12 shall be given the opportunity to make a statement. If the person resident in the realm has more than one spouse, leave to reside may only be granted to more than one child when they are full siblings,

- (f) dependent child under the age of 21, without spouse or cohabitant, of any foreign national who is a national of any country which is a party to the European Social Charter of 18 October 1961, when both parents have or are granted lawful residence in the realm,
- (g) parents of any child, cf. the second paragraph of this section, with leave to reside in the realm in pursuance of § 17 or § 22 of the Act, when the parents are married or cohabitants, and any sibling under the age of 18 years without spouse or cohabitant, when these are living together with their parents. It is a condition that the applicants shall live together with the person living in the realm,
- (h) single mother or father of any such child as is mentioned under (g), and any sibling under the age of 18 years without spouse or cohabitant, when these are living together with the mother or father concerned. It is a condition that the applicants shall live together with the person living in the realm. The parent who had parental responsibility and with whom the child lived permanently in the country of origin has a preferential right to residence in Norway,
- (i) mother or father of any Norwegian child, cf. the second paragraph of this section, for whom the applicant has parental responsibility and who lives permanently with the applicant. It is a condition that the applicant does not have a spouse or cohabitant at the time of entry into the realm,
- (j) mother or father of any child, cf. the second paragraph of this section, with leave to reside in the realm together with the other parent, who has parental responsibility and with whom the child lives permanently. It is a condition that the applicant has resided in the realm with leave for the past year, provides documentary evidence of right of access of a certain extent and exercises this right.

Child means any person under the age of 18 years without spouse or cohabitant. The age limit of 18 years is deemed to have been respected when any application with all the information and enclosures that are necessary for it to be decided has been received by the authority with the power of decision by the 18th birthday of the applicant. If the application is decided after this date, the requirement concerning subsistence is assessed in relation to the 18th birthday.

§ 24. Leave to work or leave to reside for family members etc. pursuant to § 8 second paragraph of the Act

Leave to work or leave to reside may on application be granted to any foreign national who has a particular connection with Norway, cf. § 8 second paragraph of the Act. It is a prerequisite that subsistence and housing are ensured in accordance with the provisions of § 25 and § 20. Any person having the following connection with any Norwegian or Nordic national resident in the realm holding a settlement permit or a permit which may constitute a basis for a settlement permit, or with any such foreign national as is mentioned in § 21 a, is deemed to have a particular connection with Norway:

- (a) any applicant who after entry is to enter into marriage with a person resident in the realm. It is a condition that both parties are over the age of 18 years, and documentary evidence must be submitted to show that there are no impediments to their entering into marriage,
- (b) cohabitant, where both parties have or are expecting a child together, or have lived together in a permanent and established relationship as cohabitants for at least two

- years and there are permanent impediments to the satisfaction of the condition in § 23 first paragraph (b) that neither of the parties is married. It is a condition that both parties are over the age of 18 and intend to continue their cohabitation,
- (c) mother or father over the age of 60 years with no spouse, cohabitant or kin in ascending or descending line in the country of origin, and in special cases both parents in the same situation. It is a condition that the person living here must be deemed to have a special responsibility for the person or persons concerned,
 - (d) child between the ages of 18 and 21 years with no spouse or cohabitant, where the applicant has previously had a period of residence of long duration in the realm with leave,
 - (e) dependent child over the age of 18 with no spouse or cohabitant, where the person concerned is or becomes left in the country of origin with no parents or siblings who are over the age of 18 years or married, or when it is established that for medical reasons the person concerned is completely dependent on personal care from parents living here,
 - (f) foster child, cf. § 23 second paragraph, when it is substantiated that the child is an established member of the household and that those who are exercising parental responsibility for the child are doing so lawfully in accordance with the legislation of the country of origin. When the child's biological parents are alive, documentary evidence must be submitted confirming that parental responsibility has been transferred. The Norwegian child welfare authorities must have approved the foster home or undertake such approval after arrival,
 - (g) full siblings under the age of 18 years with no person to be responsible for their care in the country of origin. It is a condition that the person resident here is a suitable person to be responsible for such care. A statement concerning this shall if possible be obtained from the child welfare service in the municipality in which the person living here is resident.

When strong humanitarian considerations so indicate, a work permit or a residence permit in pursuance of § 8 second paragraph of the Act may also be issued to a family member etc. who does not fall under the first paragraph of this section or § 23. It is a prerequisite that subsistence is ensured in accordance with the provisions of § 25. As a general rule housing must be ensured in accordance with the provisions of § 20. The Ministry of Justice may issue separate guidelines for various situations of mass outflow, cf. § 8 a of the Act.

It is a prerequisite for a work permit that the conditions of § 2 third paragraph are satisfied.

A residence permit of up to nine months' duration may be given to parents who have a particular connection with the realm through any child who satisfies the requirements for a principal person in the first paragraph of this section, when the purpose of the stay is to visit the family. Where leave is sought after entry, cf. § 10 second paragraph (g), the duration of the permit is reckoned from the date of entry. It is a prerequisite that subsistence and housing are ensured in accordance with the provisions of § 25 first and second paragraphs and § 20, and that the applicant returns to his or her country of origin on the expiry of the permit. The provisions of § 42 do not apply to holders of such a permit.

When the need is temporary or other special grounds so indicate, the permit may be issued without any possibility of renewal, and it may be laid down that it shall not be able to constitute a basis a settlement permit. If no such restrictions are laid down, a permit issued

pursuant to this section may be renewed and constitute a basis for a settlement permit. The provisions of § 22 fifth paragraph apply correspondingly.

§ 25. Requirement concerning subsistence pursuant to the provisions of § 22 and § 24

When any permit is sought pursuant to the provisions of § 22 or § 24, subsistence must be ensured for the period to which the application relates with the exceptions that follow from the fourth paragraph of this section.

Subsistence is deemed to be ensured when the applicant satisfies the conditions pursuant to § 19, when the principal person can maintain the applicant through the provisions of § 19 or through a combination. Any benefit under Act No. 19 of 28 February 1997 concerning National Insurance is considered as earned income. Any benefit under Act No. 2 of 24 October 1946 concerning Child Benefit is also counted. If the applicant satisfies the requirements for the grant of a work permit pursuant to § 22 and there is a concrete offer of employment, the anticipated income is also included in the assessment of whether the subsistence requirement is satisfied.

Even if the subsistence requirement is not satisfied, a permit may nevertheless be issued where the applicant is the spouse, cohabitant or child not being a Norwegian national, cf. § 23 first paragraph (a), (b), (c) and (e), of a Norwegian national resident in the realm, or where other particularly strong humanitarian considerations so indicate.

When any permit is sought pursuant to the provisions of § 22, cf. § 23, no requirement concerning ensured subsistence is imposed when the applicant

- (a) is the spouse, cohabitant or child, cf. § 23 first paragraph (a), (b), (c) and (e), of any principal person who has been granted a work permit or a residence permit on the basis of an application for asylum or in pursuance of § 22 fourth paragraph of the Act. It is a prerequisite that the marriage was entered into before the principal person entered the realm,
- (b) falls under § 23 first paragraph (g), (h), (i) or (j), or
- (c) is the spouse, cohabitant or child, cf. § 23 first paragraph (a), (b), (c) and (e), of any Nordic national resident in the realm for the last three years or of any foreign national resident in the realm holding a settlement permit. For any permit for a spouse or cohabitant it is a prerequisite that the parties have been married or cohabitants for at least three years.

Where any permit is sought in pursuance of the provisions of § 22 second paragraph, cf. § 23, the general rule is that no requirement concerning ensured subsistence is imposed.

Collective work permits, cf. § 10 of the Act

§ 26. Conditions for collective work permits

Any employer in the realm may apply for a permit to take on a fixed number of foreign employees for an assignment of limited duration (collective work permit), cf. § 10 first paragraph of the Act.

Any employer with a place of business or a permanent representative in the realm must be responsible to the immigration authorities pursuant to the Act and these Regulations. If an employer does not have a place of business or a permanent representative in the realm, an agent with a place of business in the realm must be responsible to the immigration authorities. Otherwise the provisions of § 2 first paragraph (2) and (3) and third paragraph apply.

The assignment must concern one or more specific places of work and be of limited duration. An exact description of the nature of the assignment must be given. It is a condition that resident labour cannot be obtained for the assignment.

The assignment must provide work for no fewer than six persons including the necessary manpower for any shift arrangement and for replacement. There must be a specified number of persons in the group. It is a condition that the employer undertakes to take in employees who individually satisfy the conditions of § 3 second paragraph (a). A permit may nevertheless be granted even if some of the employees do not possess the specified qualifications provided it is substantiated that the participation of the persons concerned is a necessary precondition for the group to be able to function. Any employee who is given work in a group must have resided outside the realm for not less than one month before entry unless the person concerned has held an individual work permit for work in a group which is being gradually reduced.

A condition may be imposed requiring an employer to implement training and qualifying measures for domestic labour for jobs corresponding to those which follow from the assignment.

Any employee who is given a permit pursuant to § 3 second paragraph (a) and who is given work by the employer concerned is not counted as a member of the group.

The provisions of § 19 and § 20 apply correspondingly.

The Directorate of Immigration may in consultation with the Directorate of Labour issue further provisions concerning the conditions for collective work permits.

§ 27. Procedure for applying for collective work permits

Any application for a collective work permit is to be submitted by the employer.

The application is to be submitted to the relevant county employment office in respect of land-based assignments, and to the authority that is laid down in respect of assignments on the continental shelf, cf. § 152 fifth paragraph.

§ 28. Power of decision

Any decision concerning any collective work permit or the renewal of any permit issued is made by the Directorate of Immigration, cf. § 10 third paragraph of the Act.

Any individual permit to work in a group, cf. § 29 fourth paragraph, is granted by the police.

§ 29. Duration and content of collective work permits

Any collective work permit is issued to an employer.

Any such permit is issued in conformity with the duration of the assignment but for not more than one year.

Any such permit shall be linked to a specific assignment in specific places of work and apply to a specific number of employees.

Any foreign national who is included in any collective work permit is after entry into the realm granted an individual permit to work in the group, cf. § 10 first paragraph of the Act, unless there are other circumstances which under the Act will give grounds for refusing the foreign national leave to enter the realm, to reside or to work, cf. § 8 first paragraph (3). The permit is inscribed in the foreign national's passport pursuant to the provisions of § 12 fifth paragraph.

Any foreign national requiring a visa must have a visa for entry on the first occasion, cf. § 112 first paragraph. An individual permit to work in a group confers entitlement to repeated entry into the realm during the period for which it is valid, cf. § 112 second paragraph.

An individual permit for work in a group does not constitute a basis for a settlement permit.

Any foreign national who is included in any collective work permit for land-based assignments may after nine months' residence apply for a work permit or a residence permit from the realm, cf. § 10 second paragraph (h).

§ 30. Duty to give notification

Any employer shall in good time before the individual employee's arrival send notification of the personal details of the person concerned to the police authority as indicated in the decision.

The individual employee must no later than one week after entry into the realm report to the police in his or her district of residence for registration, cf. § 51.

The employer has a duty to send monthly up-dated lists of employees in the group to the police authority as mentioned in the first paragraph.

When the assignment has been completed and the employees have left the realm, the employer shall give notification thereof to the manpower authorities and to the police authority as mentioned in the first paragraph of this section.

§ 31. Renewal of and changes in collective work permits

Where the conditions that follow from § 26 are satisfied, a collective work permit may be renewed. Even if the group includes fewer than six persons, a renewed permit may nevertheless be issued when it is substantiated that the group is gradually being reduced.

Provided that an application has been received by the county employment office or the authority that is laid down in respect of assignments on the continental shelf, cf. § 152 fifth paragraph, the employer may be given a provisional collective work permit while waiting for the application to be decided, and the individual employee may then be given a provisional individual permit to work in the group.

Whenever there is any change in the circumstances which constitute the basis for the permit issued, an application for a new collective work permit must be made.

The provisions of § 27 concerning the procedure for applications apply.

Renewal of work permits and residence permits, cf. § 11 of the Act

§ 32. Right of renewal

Where the conditions that follow from § 33 to § 37 are satisfied, any foreign national has on application the right to renewal of a permit unless there are other circumstances which under the Act will give grounds for refusing the foreign national leave to enter the realm, to reside or to work, cf. § 8 first paragraph (3).

§ 33. Requirement concerning subsistence in respect of renewal

Where application is made for the renewal of any work permit or any residence permit, the provisions concerning subsistence in § 19 and § 25 are applied in the same manner as at the time of the first granting of leave, cf. § 11 first paragraph of the Act. This does not however apply to the provision in § 19 fifth paragraph, cf. § 25 second paragraph.

In the event of renewal any benefit under Act No. 19 of 28 February 1997 concerning National Insurance is considered as earned income pursuant to § 19 second paragraph (a).

Where any permit has been issued for the first time pursuant to § 22 first paragraph, cf. § 23, or § 24 first paragraph, no requirement concerning ensured subsistence is imposed in respect of renewal when this is not done in the case of the principal person.

If the requirement concerning subsistence pursuant to the provisions of § 25 is not satisfied when application is made for renewal, a permit may nevertheless be granted on the conditions that follow from § 25 third paragraph.

§ 34. Renewal of any permit issued pursuant to § 3

Any such applicant as is mentioned in § 3 first paragraph has the right to renewal of any work permit or any residence permit.

Any permit granted to any such applicant as is mentioned in § 3 second paragraph is renewable where the conditions of § 2 first paragraph and § 3 second paragraph are satisfied. For any permit for any such applicant as is mentioned in § 3 second paragraph (a) and (b) the condition that the post cannot be filled with domestic labour does not apply unless the application concerns a new job or place of work. For any permit for any such applicant as is mentioned in § 3 second paragraph (c) it is a condition that it is a question of the same activity.

Any renewed work permit issued pursuant to the second paragraph shall be linked to a specific job and a specific place of work, cf. § 2 second paragraph.

§ 35. Renewal of any permit issued pursuant to § 4 and § 4 a

Any permit granted to any such applicant as is mentioned in § 4 and § 4 a is renewable where the conditions of § 2 first paragraph and § 4 or 4 a are satisfied.

For any permit granted to any such applicant as is mentioned in § 4 first paragraph it is in addition a condition that the applicant has made satisfactory educational progress. The educational institution concerned shall supply a statement concerning this. In the event of any change in the planned course of study the permit is as a general rule renewable only where the change represents a continuation of the education already commenced.

In respect of any permit for any such applicant as is mentioned in § 4 a first paragraph, documentary evidence must be produced of a need for renewal beyond two years.

Any renewed permit issued pursuant to this section shall be linked to a specific job and a specific place of work, cf. § 2 second paragraph.

§ 36. Renewal of any permit issued pursuant to § 21 and § 21 a

Any permit granted to any such applicant as is mentioned in § 21 and § 21 a is renewable in accordance with the basis on which it was granted provided that this still exists.

This does not however apply when it is apparent from the permit that it shall only be valid for a specific period of time or when special conditions for renewal are indicated and these are not satisfied. The provisions of § 21 fifth paragraph apply correspondingly for renewal.

§ 37. Renewal of any permit issued pursuant to § 22 and § 24

Any permit granted to any such applicant as is mentioned in § 22 and § 24 is renewable in accordance with the basis on which it was granted provided that this still exists. Nevertheless the requirement that any child shall be under the age of 18 or 21 years does not apply.

Any permit granted to any such applicant as is mentioned in § 24 is not renewable where it is apparent from the permit that it shall only be valid for a specific period of time. The provisions of § 24 fifth paragraph apply correspondingly for renewal.

For the renewal of any permit granted on the basis of marriage or cohabitation it is a condition that the marriage or cohabitation subsists and that the parties still live together. Exception may be made to the condition that the parties must live together where strong reasonable grounds so indicate.

Any applicant who does not satisfy the conditions of the third paragraph of this section and who has any such child as is mentioned in § 23 second paragraph in the realm, is to be granted a new first-issue permit in pursuance of § 22, cf. § 23 first paragraph (i) or (j), provided the conditions are satisfied. A new first-issue permit may be granted in pursuance of § 24 second paragraph provided that evidence is produced of the probability that the conditions in § 23 first paragraph (j) will have been satisfied in the course of a stated period of time, which may not exceed one year.

Any applicant with parental responsibility for any such child as is mentioned in § 23 second paragraph and with whom the child lives permanently, may be given a permit together with the child in pursuance of § 24 second paragraph provided the other parent satisfies the requirements for a principal person in § 22 first paragraph and provides documentary evidence of right of access of a certain extent and exercises this right.

Any woman who does not satisfy the conditions of the third, fourth or fifth paragraphs of this section may be granted a permit pursuant to the provisions of § 21 third paragraph if as a result of the breakdown of the marriage or cohabitation she will have unreasonable difficulties in her country of origin on account of the social and cultural conditions there. Even if such grounds do not so indicate, a permit pursuant to § 21 third paragraph shall be granted if the woman or any children have been ill-treated while the partners were living together.

Where legal proceedings have been instituted in pursuance of § 16 third paragraph of Act No. 47 of 4 July 1991 (the Marriage Act) any foreign national who for that reason loses his or her basis of residence as a spouse, and who does not satisfy the conditions of the third, fourth, fifth or sixth paragraphs of this section, shall on application be granted a permit pursuant to the provisions of § 21 third paragraph unless particular grounds indicate the contrary. The permit is granted for six months at a time until a final decision has been made with no further right of appeal. If the marriage is declared invalid, any such foreign national as mentioned is on application granted a new first-issue permit pursuant to § 21 third paragraph provided the applicant has not exercised or contributed to the exercise of force to bring about the marriage.

§ 38. Duration and content of any renewed permit

Any renewed permit is normally issued for one or two years, cf. § 11 second paragraph of the Act.

Any renewed permit pursuant to § 3 first paragraph, § 4 second paragraph and § 4a first paragraph may be issued for two years. The same applies to any such permit as is mentioned in § 15 third paragraph issued for one year, where there is no such doubt as mentioned or the applicant has provided documentary evidence of his identity.

Otherwise a renewed permit is issued for one year.

The provisions of § 15 fifth to seventh paragraphs apply correspondingly.

The expiry of the previous permit provides the basis for the calculation of the duration of any renewed permit. Where application for renewal is made after the expiry of the previous permit, the date of decision nevertheless provides the basis for the calculation.

Otherwise the provisions of § 16 concerning the content of any permit apply correspondingly.

§ 39. Entitlement to work or residence on the same conditions until any application for renewal has been decided

Any foreign national who applies for renewal of any work permit or any residence permit that is renewable may be granted continued residence on the same conditions until such application has been decided with no further right of appeal, and has a right thereto provided that the foreign national applies not later than one month before the permit expires, cf. § 11 third paragraph of the Act.

If any foreign national applies for renewal of any permit later than one month before the permit expires, the authority with the power of decision, cf. § 41, shall when considering whether such foreign national shall be granted continued residence on the same terms, place weight upon whether the application can be expected to be granted and whether the previous permit is of such a kind that it constitutes a basis for a settlement permit.

§ 40. Procedure for applications for renewal of any permit

Any application for the renewal of any permit is to be submitted on the prescribed form.

The application is to be delivered to the police in the district in which the applicant has his or her fixed place of abode.

§ 41. Power of decision

Any decision concerning renewal of any work permit or residence permit is made by the Directorate of Immigration, cf. § 6 fifth paragraph of the Act.

Where there is no doubt that the conditions are satisfied, the police may grant any application for the renewal of any work permit or any residence permit except in the following cases:

- (a) leave to work for any such applicant as is mentioned in § 3 second paragraph (a) when the application concerns a new job or a new place of work, cf. § 34 second and third paragraphs,
- (b) leave to work for any such applicant as is mentioned in § 3 second paragraph (c), cf. § 34 second and third paragraphs,
- (c) leave to reside for any such applicant as is mentioned in § 4 first paragraph, cf. § 35 first and second paragraphs, cf. without prejudice to the third paragraph of this section.

Where there is no doubt that the conditions are satisfied, the police may grant any application for renewal of a residence permit from any such applicant who is mentioned in the second paragraph (c) of this section, where the applicant is covered by guidelines issued by the Directorate of Immigration for more closely defined groups of applicants.

For inscription of the permit the provisions of § 12 fifth and sixth paragraphs apply correspondingly.

§ 42. Application for any permit on a new basis

Where application is made for any work permit or residence permit on any new factual or legal basis, the provisions of § 39 and § 40 apply where the applicant has had lawful residence in pursuance of previous leave for not less than the past nine months. The application is decided pursuant to the provisions relating to applications being made for the first time. Any application for continued leave pursuant to § 4 first paragraph in the event of any change in the plan of study and pursuant to § 4a second paragraph (b) in the event of any change in a place of work is nevertheless decided in accordance with the provisions relating to renewal, cf. § 35 second and fourth paragraphs. In such cases the provisions of § 39 and § 40 also apply where the applicant has had lawful residence in pursuance of previous leave for less than nine months.

For any permit that is issued before the expiry of any previous permit, the date of decision provides the basis for the calculation of the duration of the permit. The same applies where any permit on a new basis is applied for after the expiry of the previous permit. Otherwise the date of expiry of the previous permit provides the basis for calculation.

Settlement permit, cf. § 12 of the Act

§ 43. The right to a settlement permit

Any foreign national who for the last three years has resided continuously in the realm, cf. § 44, with a residence permit or a work permit without any restriction has on application the right to a settlement permit provided there are no such circumstances as are mentioned in § 29 first paragraph of the Act. It is a prerequisite that the conditions for the permit issued are still satisfied.

Any foreign national who for the last four years has resided continuously in the realm with any permit in pursuance of § 21 a for three years and thereafter has for one year had any permit that may constitute a basis for a settlement permit in pursuance of § 21 or § 21 a, or asylum, cf. § 63, has on application the right to a settlement permit, provided there are no such circumstances as are mentioned in § 29 first paragraph of the Act. It is a prerequisite that the power to afford collective protection has not ceased to apply.

If the applicant is charged with any such offence as is mentioned in § 29 first paragraph of the Act, the application for a settlement permit is suspended both where it has been received before or after the charge. The application may be granted at the earliest when the question of guilt has been decided with no further possibility of appeal.

Where there are such circumstances as are mentioned in § 29 first paragraph of the Act and the foreign national is not expelled, more than three years' continuous residence in the realm is required for a settlement permit to be granted.

Any child born in the realm of parents who are resident in the realm is granted a settlement permit without any preceding period of residence where application for this is made within one year after the child's birth and the parents no later than this date have applied and satisfy the conditions for the grant of a settlement permit. Any adopted child, cf. § 23 first paragraph (d), of parents who are Norwegian or Nordic nationals resident in the realm, or of parents resident in the realm holding a settlement permit, is granted a settlement permit without any preceding period of residence where consent for the adoption has been given by the Government Adoption Office before entry into the realm and application is made within one year after entry.

Leave to settle that has been granted notwithstanding that the conditions for the permit were not satisfied is nevertheless valid, unless the foreign national has in his application against his better judgement given incorrect information or suppressed matters of considerable material relevance to the decision, cf. § 13 of the Act.

§ 44. Requirement concerning three years' continuous residence in the realm

The requirement concerning continuous residence in the realm for the last three years is deemed to be satisfied when the foreign national has not stayed outside the realm for a total period exceeding seven months.

The basis for calculating the length of residence is the date on which the foreign national was granted a work permit or a residence permit without restrictions. When any foreign national is granted such a permit before entry, the basis for calculating the length of residence is the date of reporting to the police, cf. § 51. For any foreign national who has been granted asylum in pursuance of § 17 of the Act, the date of application is taken as the basis. For any foreign national who is resettled in the realm pursuant to § 22 of the Act, the date of arrival is taken as the basis.

§ 45. When a settlement permit may be granted

A settlement permit may be granted to any foreign national who does not satisfy the conditions pursuant to § 43 and § 44, cf. § 12 first paragraph of the Act, where the foreign national has for not less than one year held a permit which may constitute a basis for a settlement permit and

- (a) the foreign national has previously had a long period of residence in the realm *with leave*, or
- (b) there are particularly strong reasonable grounds.

§ 46. Duration and content of settlement permits

A settlement permit is granted from the time of decision

A settlement permit confers the right to reside and general entitlement to take work and run a business in the whole of the realm without any time limit, cf. § 12 second paragraph of the Act.

The permit confers extended protection against rejection and expulsion, cf. § 30 of the Act.

The permit confers entitlement to repeated entry into the realm, cf. § 112 second paragraph.

The police inscribe the permit in the foreign national's travel document. If this is not possible, the permit is inscribed on a separate document, which is only valid as documentation together with the travel document. If the foreign national is not in possession of a valid travel document, the permit is inscribed on a separate document, from which it shall be apparent that the foreign national is not in possession of a valid travel document. As a general rule the foreign national must appear in person to have the permit inscribed.

§ 47. Procedure for applying for a settlement permit

Any application for a settlement permit is to be submitted on the prescribed form.

Any such application is to be delivered to the police in the district in which the applicant has his or her fixed place of abode.

§ 48. Power of decision

Any decision concerning a settlement permit is made by the Directorate of Immigration, cf. § 12 third paragraph of the Act.

Where there is no doubt that the conditions are satisfied, the police may grant any application for a settlement permit in pursuance of § 43 first and second paragraphs, cf. § 44, and the first sentence of the fifth paragraph of § 43. The Directorate of Immigration may empower the police to grant applications also in other cases, where there is no doubt that the conditions are satisfied.

The provisions of § 39 apply correspondingly in the case of any application for a settlement permit.

Where a settlement permit is not granted pursuant to the provisions of § 43 et seq., the application is dealt with pursuant to the provisions of § 32 to § 42.

Any decision concerning the lapse of a settlement permit and entitlement to stay outside the realm, cf. § 49, is made by the Directorate of Immigration.

§ 49. Lapse of a settlement permit

Any settlement permit lapses when the holder has had his abode, or has in fact been resident, outside the realm for a continuous period of more than two years, cf. § 12 fourth paragraph of the Act.

The abode or the de facto residence outside the realm is deemed to be continuous even if the foreign national has had one or more stays of short duration in the realm. The abode or the de facto residence outside the realm is also deemed to be continuous if the foreign national in the course of a period of four years has had a number of stays abroad that together have a duration of more than two years.

Any foreign national may on application be allowed to reside outside the realm for a continuous period of more than two years without any lapse of the permit, if the foreign national

- (a) shall do compulsory military service or other corresponding service in his or her country of origin,
- (b) shall be resident abroad in connection with work, education or upbringing when it is clear that after such residence the person concerned intends to settle in the realm again, or
- (c) shall reside abroad together with spouse, cohabitant, mother or father who is performing paid work for the Norwegian state or as an employee of an inter-state organisation. The Directorate of Immigration may issue further guidelines concerning which Norwegian or international organisations shall be included under this provision.

In respect of any decision concerning how long any foreign national shall be allowed to reside outside the realm without any lapse of the permit, weight shall be placed upon how long a preceding period of residence the applicant has had in the realm and upon the purpose of such residence outside the realm.

Any application for entitlement to absence from the realm shall be submitted in good time before the expiry of the two-year time limit.

Revocation, cf. § 13 of the Act

§ 50. Revocation of leave

Any work permit, any residence permit or any settlement permit may be revoked if any foreign national has deliberately given incorrect information in any application or suppressed any matter of considerable material relevance to the decision, or if this otherwise follows from general rules in public administrative law, cf. § 13 of the Act.

Where consideration is being given to the revocation of any permit issued, the foreign national shall be notified in advance, cf. § 16 of the Public Administration Act. Any employer who has been granted leave to bring into the realm any foreign national to work in a group, cf. § 26 et seq. shall be notified when consideration is being given to the revocation of one or more of the individual permits to work in the group.

The advance notification shall state the grounds on which revocation is being considered and at the same time a closing date for a statement shall be set.

Any decision to revoke is made by the Directorate of Immigration, cf. § 13 of the Act.

Reporting to the authorities, cf. § 14 of the Act

§ 51. Reporting to the authorities after entry

Any foreign national who has been granted a work or residence permit before entry shall not later than one week after entry report to the local police, cf. § 14 first paragraph of the Act.

The same applies to any foreign national who intends to apply for a work permit or a residence permit after entry, or to any foreign national who needs such a permit.

Reporting is effected by appearing in person at the local police station. The foreign national must present his or her passport or other proof of identity and provide all necessary information.

Where the foreign national is to reside in the realm for more than three months, the police shall make the person concerned aware of the duty to present oneself for examination for tuberculosis pursuant to Act No. 55 of 5 August 1994 concerning the prevention of infectious diseases (Prevention of Infectious Diseases Act). The police shall give the health authority concerned notification of the name and address of any foreign national who is to reside in the realm for more than three months.

§ 52. Reporting to the authorities before entry

Any such foreign national as is mentioned in § 8 first paragraph (c) has a duty to give notification to the police in the district where he or she is to reside.

Any foreign national who is exempt from the requirement concerning leave to work pursuant to § 8 second paragraph (c) or third paragraph shall before entry give written notification to the police in the relevant districts. Such notification may also be given by an employer, arranger, tour leader or other responsible person.

§ 53. Reporting to the authorities when changing place of abode

Any foreign national who changes place of abode while his or her case is being dealt with under the Act shall report this to the police, cf. § 14 second paragraph of the Act. Reporting is effected by appearing in person at the police station in the former or the new district of residence not later than one week after moving.

Any foreign national who holds a settlement permit shall give written notification to the police when moving out of or into the realm, cf. § 14 third paragraph of the Act.

CHAPTER 3. PROTECTION AGAINST PERSECUTION (REFUGEES, ETC)

Rules of procedure in asylum cases, cf. § 59 of the Act

§ 54. Applications for asylum

Any application for asylum pursuant to § 17 of the Act is to be presented in writing or orally to the police. The application shall be registered on the prescribed form. Any passport or other travel document of which the applicant is in possession must be submitted together with the application for asylum, cf. § 17 fourth paragraph of the Act. The same applies to the applicant's spouse or cohabitant and any child, cf. § 23 second paragraph, applying for leave after entry in pursuance of § 9 and § 17 third paragraph of the Act, cf. § 22 and § 23 first paragraph (a), (b), (c) and (e).

The person registering the application shall give the applicant guidance concerning the rights which follow from § 34 of the Act and if necessary ensure that an interpreter is summoned, cf. § 33 of the Act. It shall be clearly established whether any accompanying spouse or cohabitant or child is applying for asylum.

Any foreign national applying for asylum shall be interviewed as soon as possible. Unless the applicant and the person conducting the asylum interview are able to communicate satisfactorily in a common language, an interpreter shall be summoned. The person conducting the interview shall see to it that any matter of importance to the assessment of the application for asylum is clarified as far as possible. The applicant shall be made aware of the fact that the information given will constitute the basis for the decision on the application. It shall be established whether the applicant consents to information about the person concerned being obtained from any other authority, including any authority in any other country than the country of origin, if this is of importance to the decision on the application.

The applicant's spouse or cohabitant should as a rule be interviewed in person even if he or she is not applying for asylum.

Unless the applicant is rejected to a country of first asylum, the total life situation of any accompanying child shall be elucidated during the interview. In this connection a conversation shall be conducted with the child unless it is deemed clearly unnecessary or the parents object to this. At least one of the parents must be present during the conversation. The Directorate of Immigration may issue further guidelines.

Any applicant under the age of 18 who has come to the realm without parents or any other person exercising parental responsibility over the applicant shall always have a provisional guardian or attorney present during the interview. The interview shall as far as possible be conducted within 14 days after the application has been submitted.

Before the interview commences, the applicant shall be urged to give truthful and complete information and be told that weight will be placed upon incorrect information or the suppression of any matter of material relevance when the decision is made. It shall furthermore be explained that any person who gives essentially incorrect or clearly misleading information is liable to prosecution, cf. § 47 first paragraph (b) of the Act. It shall also be explained that the interpreter is under an obligation of secrecy pursuant to § 13 et seq. of the Public Administration Act and that any breach of the obligation of secrecy may render a person liable to prosecution pursuant to § 121 of the Criminal Code.

Any application for asylum also includes an application for a refugee's travel document or an immigrant's passport, cf. § 74.

§ 55. Decisions and the power of decision

The Directorate of Immigration decides any application for asylum pursuant to § 17 of the Act, cf. § 21 first paragraph of the Act. When any application is granted, the foreign national shall be informed in writing of the effect of asylum and of the fact that asylum granted may be revoked, cf. § 63 and § 64.

If the conditions for asylum are not satisfied, the Directorate of Immigration shall consider whether the foreign national shall or ought to be given a permit pursuant to § 8 second paragraph of the Act, cf. § 21 first and second paragraphs.

If the foreign national is not given leave to reside in the realm, the Directorate of Immigration shall make a decision to reject pursuant to § 119 where the conditions are satisfied.

If in any asylum case the Directorate of Immigration finds it clear that the conditions of § 15 first paragraph of the Act are not satisfied, or if the foreign national has an application for asylum under consideration in another country or has had such an application rejected there, a shorter time limit than three weeks shall be set for the submission of any request for deferment of implementation. For the determination of the time limit account is taken of the need for swift implementation.

Application for asylum from any foreign national covered by § 8 a of the Act

§ 55 a. Application for asylum from any foreign national covered by § 8 a of the Act

Any application from any such foreign national as is mentioned in § 21a may be suspended for a period not exceeding three years from the date of the first occasion on which the applicant was granted leave, cf. § 8 a fourth paragraph of the Act. Any decision to this effect is made by the Directorate of Immigration, which may empower the police to suspend any application for asylum, cf. § 8 a fifth paragraph of the Act.

Where any application for asylum has been suspended, any passport or other travel document that the applicant submitted together with the application is to be handed back.

Where the power to afford collective protection has ceased to apply or a period of three years has elapsed since the first occasion on which the applicant was granted leave, the applicant shall be informed that the application for asylum will only be considered if, within a prescribed time limit, the applicant explicitly expresses a desire for this, cf. § 8 a fifth paragraph of the Act.

For the consideration of the application for asylum the provisions of § 54 to § 55 and § 56 apply. The provisions of § 57 and § 58 apply in so far as they are appropriate.

Appeal in asylum cases

§ 56. Appeal

An appeal against any decision of the Directorate of Immigration may be made to the Ministry of Justice, cf. § 38 of the Act.

Any appeal is to be sent to the police who immediately forward it together with the documents in the case to the Directorate of Immigration for preparatory consideration.

Registration certificate for asylum applicant etc., cf. § 59 of the Act

§ 57. Registration certificate for asylum applicant etc.

Any applicant for asylum and any such family member as is mentioned in § 54 first paragraph shall as soon as possible after arrival in the realm be provided with a registration certificate for an asylum applicant unless rejection pursuant to § 27 of the Act is being considered or there are other special reasons to the contrary.

The applicant's spouse or cohabitant or child applying for leave after entry in pursuance of § 9 of the Act shall be provided with a registration certificate if they are not in possession of any travel document.

The registration certificate is given validity for a specified period of time not exceeding six months. The registration certificate is withdrawn when the foreign national is issued with a

refugee's travel document or immigrant's passport, shall depart from the realm or otherwise gets back the passport of his or her country of origin.

Any temporary work permit or residence permit shall be inscribed in the registration certificate, cf. § 62.

The registration certificate is not to be considered as documentary evidence that the personal information indicated is correct. It is not valid as a travel document.

§ 58. Procedure, etc.

The registration certificate is issued by the police authority which is dealing with the application for asylum.

The police shall inform the applicant of the limitations that are stated in § 57 fifth paragraph and of the duty imposed on the holder pursuant to the fifth paragraph of this section.

Any amendment to or renewal of any registration certificate is undertaken by the police in the district in which the applicant has his or her fixed place of abode, after the police authority which is dealing with the application for asylum has been informed.

Before any address that is entered in any registration certificate may be changed, the police shall contact the regional office which is responsible for the reception centre that is entered in the registration certificate.

The holder shall personally ensure that the registration certificate is renewed if the application has not been decided with no further right of appeal when the period of validity expires.

The police shall ensure that the registration certificate is withdrawn in accordance with the provisions of § 57 third paragraph.

Asylum applicant's place of residence during the period of application, cf. § 17 fifth paragraph of the Act

§ 59. Placement of asylum applicant etc.

Any asylum applicant or any such family member as is mentioned in § 54 first paragraph who is placed in a reception centre in one municipality must reside in the municipality until the application has been decided with no further right of appeal. Any such person may be transferred from one reception centre to another reception centre within the same municipality or to another municipality.

In exceptional circumstances any such person as is mentioned in the first paragraph of this section may on application be given leave not to reside in the municipality in which he or she is placed provided that the person concerned will not need any grant from the public purse.

Settlement in a municipality may in special circumstances be implemented before a decision with no further right of appeal in an asylum case has been given.

The Ministry of Local Government and Regional Development may issue further guidelines.

§ 60. Power of decision and appeal

The Directorate of Immigration or the regional office so empowered makes any decision pursuant to § 59.

The provisions of the Public Administration Act that grounds shall be given for any individual decision and that any individual decision may be appealed against do not apply to any decision pursuant to § 59, cf. § 24 fourth paragraph and § 28 third paragraph of the Public Administration Act. Grounds shall nevertheless be given for any decision pursuant to § 59 third paragraph.

The provisions of the Public Administration Act that any individual decision may be appealed against do not apply to any decision concerning the settlement of any foreign national in a municipality, cf. § 28 third paragraph of the Public Administration Act.

Temporary work permit, cf. § 17 sixth paragraph and § 59

§ 61. Conditions for temporary work permit or residence permit

Any applicant for asylum may be issued with a temporary work permit or residence permit until his application for asylum has been decided, cf. § 17 sixth paragraph of the Act. It is a prerequisite for any permit that the following conditions are satisfied:

- (1) An asylum interview of the applicant has been conducted.
- (2) There is no doubt concerning the applicant's identity.
- (3) There is no question of rejecting the applicant or submitting an application for return to another country.
- (4) For the issue of a work permit it is a prerequisite that the conditions in § 2 third paragraph are satisfied.

When an application for asylum has been rejected at first instance, any permit issued continues to be valid if an appeal is lodged and given suspensive effect.

On request a permit may also be issued to any asylum seeker whose application has been rejected without any further right of appeal when the decision is for the time being not being implemented. For a work permit it is a prerequisite that the conditions in the first paragraph (4) of this section are satisfied.

Provided that the foreign national is not personally to blame for the fact that the rejection of the application cannot be implemented, any such foreign national as is mentioned in the third paragraph of this section has the right to a permit where the person concerned has a valid work permit or residence permit at the time of the rejection of the application.

§ 62. Procedure for application and power of decision

Any request for a temporary work permit or residence permit pursuant to § 61 third and fourth paragraphs is to be submitted to the police.

The Directorate of Immigration grants temporary leave and may issue guidelines on the handling of cases.

Any permit issued pursuant to § 61 first paragraph is inscribed in the registration certificate for an asylum seeker, cf. § 57. It shall be apparent that the permit is valid only until the application for asylum has been decided. Any permit issued pursuant to § 61 third and fourth paragraphs is entered in the foreign national's travel document. Where this is not possible, the permit is inscribed on a separate document, cf. § 12 fifth and sixth paragraphs. It shall be apparent that the permit is valid only until the rejection of the application for asylum is implemented.

Chapters IV to VI of the Public Administration Act concerning preparation of cases, decisions and appeals do not apply to any decision on temporary leave, cf. § 17 sixth paragraph of the Act.

Effect of asylum, cf. § 18 first paragraph of the Act

§ 63. Effect of asylum

The granting of asylum means that the foreign national has the status of a refugee and receives a work permit or a residence permit, cf. § 18 first paragraph of the Act.

The refugee's spouse or cohabitant or any child, cf. § 23 second paragraph, has on application pursuant to § 9 and § 17 third paragraph of the Act, cf. § 22 and § 23 first paragraph (a), (b), (c) and (e), the right to asylum unless there are particular reasons to the contrary.

For a work permit or a residence permit the provisions of § 10 to § 17 apply. It is a prerequisite for a work permit that the conditions of § 2 third paragraph are satisfied.

Any permit is renewable in accordance with the basis on which it was granted where this still subsists. The provisions of § 38 to § 42 apply.

The permit may constitute a basis for a settlement permit.

Revocation of asylum granted, cf. § 18 second paragraph of the Act

§ 64. Revocation of asylum granted

Asylum granted may be revoked when any refugee no longer falls under the definition of a refugee, cf. § 16 of the Act, or if this otherwise follows from general rules in public administrative law, cf. § 18 second paragraph of the Act.

Where consideration is being given to the revocation of asylum granted, the foreign national shall be notified in advance, cf. § 16 of the Public Administration Act. The advance notification shall state the grounds on which revocation is being considered and at the same time a closing date for a statement shall be set.

Any decision to revoke is made by the Directorate of Immigration, cf. § 18 second paragraph of the Act. At the same time consideration shall be given to whether the foreign national shall be given leave to continue to reside without asylum. Particular weight shall be placed upon the connection with the realm.

Refugee's travel document and immigrant's passport, cf. § 19 of the Act

§ 65. Conditions for the issue of a refugee's travel document

Any refugee who has or is granted lawful residence in the realm shall on application be granted a refugee's travel document unless there are particular reasons to the contrary, cf. § 19 first paragraph of the Act.

The issue of a refugee's travel document may be refused where

- (a) there is any circumstance under which a passport would not have been issued to a Norwegian national, cf. § 5 of the Passport Act,
- (b) there is any such circumstance as is described in § 43 second paragraph of Act No. 7 of 8 April 1981 concerning children and parents,
- (c) there is any such circumstance as stated in Article 1 F of the Convention relating to the Status of Refugees,
- (d) the foreign national has been convicted with no further right of appeal of any particularly serious crime and for this reason represents a danger to the community,
- (e) there is doubt about the foreign national's identity, or
- (f) interests of foreign policy or consideration for national security so indicate.

If any refugee holds a refugee's travel document issued by a foreign state, the right pursuant to the first paragraph applies only where the refugee has been granted asylum or a settlement permit, or Norway has an obligation to issue a refugee's travel document in accordance with an international agreement, cf. § 19 first paragraph of the Act and the Council of Europe Agreement of 16 October 1980 on the transfer of responsibility for refugees.

A refugee's travel document may also be issued to any foreign national who satisfies the conditions for obtaining a travel document pursuant to the Agreement of 23 November 1957 relating to refugee seamen, or to any refugee seaman who can produce documentary evidence of continuous service on any Norwegian ship registered in the Norwegian Ordinary Register (NOR) for not less than two of the last three years.

§ 66. Area of validity of a refugee's travel document

A refugee's travel document shall be made out to one person.

A refugee's travel document is normally given the same period of validity as the work permit or residence permit, but not longer than two years.

A refugee's travel document is valid for travel back to Norway during the period of its validity.

A refugee's travel document shall be valid for travel to all countries with the exception of the refugee's country of origin.

Where there is any such circumstance as is mentioned in § 65 second paragraph or any other special ground so indicates, a shorter period of validity may be set. A refugee's travel document may furthermore be restricted to being valid only for single journeys or exceptions may be made for other countries than the country of origin.

Any refugee holding a Norwegian refugee's travel document is exempt from the visa requirement in those countries which are parties to the European Agreement of 20 April 1959 on the abolition of visas for refugees, cf. § 105 (f).

§ 67. Renewal of a refugee's travel document

Any refugee's travel document may on application be renewed on the conditions which follow from § 65, unless the provisions of § 68 apply. Renewal may also be refused when the holder has lost his or her refugee's travel document without giving any convincing explanation of how this happened, cf. § 76 second paragraph.

For any renewed refugee's travel document the provisions of § 66 apply correspondingly.

§ 68. Withdrawal of a refugee's travel document

Any refugee's travel document shall be withdrawn where

- (a) the holder is rejected pursuant to § 27 first paragraph (i) or (j) of the Act or § 30 second paragraph (a) of the Act,
- (b) the holder is expelled pursuant to § 29 first paragraph (d) of the Act or pursuant to § 30 second paragraph (a) of the Act,
- (c) the holder obtains the travel document of his country of origin, cf. § 19 third paragraph of the Act,
- (d) the holder loses his or her refugee status by acquiring Norwegian nationality or any foreign nationality or in any other way, cf. § 18 second paragraph of the Act,
- (e) the responsibility for the holder passes to another state in pursuance of the Council of Europe Agreement of 16 October 1980 on the transfer of responsibility for refugees,
- (f) the holder has with statutory authority been refused leave to depart from the realm, or
- (g) exit will be incompatible with any judgment, order or other decision made by any public authority.

Any refugee's travel document may be withdrawn where

- (a) any such circumstance arises as is mentioned in § 65 second paragraph (a), (b) or (e),
- (b) its appearance or content has been altered without lawful authority,
- (c) it is damaged or is in any other way unfit for continued use,
- (d) the photograph or description no longer corresponds to the holder's appearance, or
- (e) it is found in the possession of any unauthorised person, or
- (f) the holder no longer has leave to reside in the realm.

Provisional withdrawal is undertaken by the police, any foreign service mission or any other public control authority who will refer the matter to the Directorate of Immigration for decision.

Where any refugee's travel document is withdrawn pursuant to the first paragraph (f) or (g) or to the second paragraph (a) to (e) the Directorate of Immigration informs the police authority concerned, who inscribe the holder's work permit or residence permit on a separate document from which it shall be apparent that the holder does not have a valid refugee's travel document. Any limitation or condition shall be apparent from the inscription.

§ 69. Conditions for the issue of an immigrant's passport

Any foreign national who has or is granted leave to work or leave to reside in the realm on the basis of an application for asylum, but without having been granted asylum, shall be given an immigrant's passport for travel outside Norway, provided the foreign national's relationship to the authorities in the country of origin so indicates. An immigrant's passport may also be given to any such foreign national's closest family members who hold or are granted a work permit or a residence permit in the realm and who apply for immigrant's passports and hand in their passports or any other travel documents of which the persons concerned are in possession.

Otherwise an immigrant's passport may on application be issued to any foreign national who is unable to obtain a passport or any other travel document from his or her country of origin or from any another country, and who holds or is granted a work permit or a residence permit in the realm. Where any special grounds so indicate an immigrant's passport may be issued in other cases.

The issue of an immigrant's passport may be refused where there is any such circumstance as is mentioned in § 65 second paragraph.

§ 70. Area of validity of an immigrant's passport

An immigrant's passport shall be made out to one person.

An immigrant's passport is made valid for a specific period of time laid down by the Directorate of Immigration in the individual case. The period of validity is normally made equal to the validity of the foreign national's work permit or residence permit, but no longer than two years.

An immigrant's passport is valid for re-entry into Norway during its period of validity.

An immigrant's passport shall be valid for travel to all countries with the exception of the foreign national's country of origin. When strong reasonable grounds so indicate, an immigrant's passport may nevertheless be made valid for travel to the country of origin.

When there is any such circumstance as is mentioned in § 65 second paragraph or any other special reason so indicates, a shorter period of validity may be set. Any immigrant's passport may furthermore be restricted to being valid only for individual journeys or only for entry from specific countries or to not being valid for re-entry into Norway. Exceptions may also be made for travel to other countries than the country of origin.

Any foreign national holding an immigrant's passport and a valid work permit, residence permit or settlement permit in Norway does not require a visa for travel to Nordic countries. Otherwise any foreign national must personally ascertain whether the country to which he or she is to travel requires a visa.

§ 71. Renewal of an immigrant's passport

An immigrant's passport may on application be renewed on the conditions which follow from § 69 unless the provisions of § 68, cf. § 72, apply. Renewal may also be refused when the holder has lost his or her immigrant's passport without giving any convincing explanation of how this happened, cf. § 76 second paragraph.

For a renewed immigrant's passport the provisions of § 70 apply correspondingly.

§ 72. Withdrawal of an immigrant's passport

An immigrant's passport is withdrawn pursuant to the provisions of § 68.

§ 73. Pass (emergency travel document)

Where any foreign national who is given leave to enter the realm is unable to obtain a passport or any other identity document which is recognised as a travel document, the Directorate of Immigration may give consent for any foreign service mission with the power of issue, cf. § 110, to issue a pass (emergency travel document) for travel to Norway.

Any such document as is mentioned in the first paragraph of this section is made valid for a single journey and for a specific period of time laid down by the Directorate of Immigration in the individual case. Unless special reasons so indicate, the period of validity should not be set at more than three months.

§ 74. Procedure for any application for a refugee's travel document or an immigrant's passport

Any application for asylum also includes an application for a refugee's travel document or an immigrant's passport, cf. § 54 last paragraph.

Otherwise any application for a refugee's travel document or an immigrant's passport is submitted through the police in the district in which the applicant has his or her fixed place of abode.

The application is to be submitted on the prescribed form. The application shall be accompanied by a photograph of the applicant and bear the applicant's signature. Any passport or any other travel document of which the applicant is in possession must be submitted together with the application, cf. § 19 third paragraph of the Act.

The police shall if necessary demand to be shown any identity document the applicant has or can obtain and any documentary evidence of the applicant's status as a refugee.

Any application for a travel document for a refugee seaman, cf. § 65 fourth paragraph, is to be sent direct to the Directorate of Immigration or through any Norwegian foreign service mission.

§ 75. Power of decision and issue of a refugee's travel document and an immigrant's passport

The Directorate of Immigration decides any application for a refugee's travel document or an immigrant's passport, cf. § 21 first paragraph of the Act. The Directorate informs the relevant police authority, which issues the document.

Before any refugee's travel document or any immigrant's passport is issued to any applicant under the age of 18 years, the consent of the parents or any other person exercising parental authority over the applicant shall have been obtained.

To any person who has been declared to be without legal capacity or who is suffering from serious mental illness a refugee's travel document or an immigrant's passport is issued only with the consent of the guardian or the person who is otherwise responsible for the care of the person concerned.

Any work permit or any residence permit is inscribed in the refugee's travel document or the immigrant's passport, cf. § 12 fifth paragraph.

When being issued with a refugee's travel document or an immigrant's passport any foreign national shall be made aware that the refugee's travel document or the immigrant's passport is to be withdrawn when any travel document of the country of origin is obtained, cf. § 68 first paragraph (c) and § 72.

The first issue of any refugee's travel document or any immigrant's passport is free of charge.

§ 76. Duty to report the loss of any refugee's travel document or any immigrant's passport

The holder of any refugee's travel document or any immigrant's passport has a duty to look after the document so that it does not get into the wrong hands.

Where any refugee's travel document or immigrant's passport has been lost or otherwise mislaid, the holder has a duty to report this without delay to the police or the nearest Norwegian foreign service mission. At the same time a detailed explanation shall be demanded from the holder as to when, where and how this happened. Efforts shall be made to check this explanation as far as possible and to the extent that this is necessary.

§ 77. Renewal and extension of any refugee's travel document or any immigrant's passport

Any application for renewal of any refugee's travel document or any immigrant's passport is made to and decided by the police in the district in which the holder has his or her fixed place of abode. In any case of doubt the question of renewal is to be referred to the Directorate of Immigration.

Where a new refugee's travel document or immigrant's passport is issued, the old one shall be withdrawn.

If any refugee's travel document or immigrant's passport has been lost, the question of the issue of any new travel document or immigrant's passport is referred to the Directorate of Immigration for decision.

Any Norwegian foreign service mission which has been empowered to issue a passport to any Norwegian national may extend the period of validity of any refugee's travel document or immigrant's passport by up to six months when there are special reasons for so doing, provided that the holder has leave to reside in the realm in this period. Notification of extension shall be sent to the Directorate of Immigration. Any foreign service mission shall keep such record of extensions as is laid down for a passport issued to any Norwegian national.

For renewal of any refugee's travel document or immigrant's passport one eighth of the standard court fee is payable, cf. § 1 second paragraph of Act No. 86 of 17 December 1982 concerning court fees and § 27(a) of the Public Administration Act. When any new refugee's travel document or immigrant's passport is issued, half the court fee is payable.

In special cases the authority with the power of decision may drop a claim for the fee payable in pursuance of the fifth paragraph of this section.

Resettlement of refugees, etc., cf. § 22 and § 59 of the Act

§ 78. Guidelines for selection of resettlement refugees, etc. Power of decision

The Ministry of Local Government and Regional Development issues in consultation with the Ministry of Foreign Affairs and the Ministry of Justice further guidelines for the resettlement of refugees, etc., cf. § 22 first paragraph of the Act.

Any decision concerning the resettlement of refugees, etc. is made by the Directorate of Immigration, cf. § 22 first paragraph of the Act.

The Ministry of Local Government and Regional Development may in the individual case decide that a decision concerning resettlement may be made by another authority.

§ 79. Rules of procedure

Any administrative proceedings for resettlement shall be referred to the Directorate of Immigration through the United Nations' High Commissioner for Refugees, through any other international organisation or through any Norwegian foreign service mission. In special cases administrative proceedings referred in another manner from abroad may also be dealt with.

In connection with any decision concerning resettlement information shall be provided to the effect that the decision to grant leave to enter Norway also entails leave to work or leave to reside. Furthermore information shall be provided to the effect that a final decision on the question of refugee status will be made after entry.

Any foreign national shall be made aware of the duty to report to the police not later than one week after entry and to present oneself for examination for tuberculosis, cf. § 51.

§ 80. Right of appeal

Any appeal against any decision concerning resettlement taken by the Directorate of Immigration may only be made to the Ministry of Justice by the person whose case is expressly the subject of a decision, cf. § 22 third paragraph of the Act. Any case received for consideration in connection with resettlement is not deemed to be a case which is expressly the subject of a decision.

Any appeal is submitted to the Directorate of Immigration, if appropriate through the body which submitted the application for resettlement.

Chapter VI of the Public Administration Act applies to the handling of appeals.

§ 81. Effect of any decision concerning resettlement of refugees, etc.

Any foreign national who has been given leave to enter pursuant to § 22 of the Act receives a work permit or a residence permit, cf. § 22 fourth paragraph of the Act.

Any resettlement refugee shall be provided with a registration certificate. The provisions of § 57 and § 58 apply in so far as they are appropriate.

For leave to work or leave to reside the provisions of § 63 third to sixth paragraphs apply.

For the question of refugee status the provisions of § 54 to § 56 apply in so far as they are appropriate. The Directorate of Immigration may issue further provisions concerning procedure.

Where any resettlement refugee is granted refugee status, the person concerned has the right to asylum and a refugee's travel document, cf. § 22 fourth paragraph of the Act. The refugee's spouse or cohabitant or any child, cf. § 23 second paragraph, has on application in pursuance of § 9 of the Act and § 17 third paragraph of the Act, cf. § 22 and § 23 first paragraph (a), (b), (c) and (e), the right to asylum unless there are particular reasons to the contrary.

CHAPTER 4. ENTRY AND EXIT

Border-crossing and border control, cf. § 23 of the Act

§ 82. Duty to report when crossing the border

Any person coming to the realm shall immediately report to passport control or, if this has not been possible, the nearest police authority to show proof of identity and provide such information as is necessary to determine whether entry will be lawful, cf. § 23 first paragraph of the Act.

For entry into the realm from any other Nordic state the duty to report pursuant to the first paragraph only applies when a check is carried out in accordance with Article 8 of the Passport Control Convention, cf. § 87 third paragraph (a).

The duty to report pursuant to the first paragraph does not apply to crew on board any ship or aircraft who are not signing off, cf. § 117.

In so far as they are appropriate, the provisions of the first paragraph of this section also apply where exit control has been established, cf. § 87 second paragraph.

§ 83. Duty to report for master of any ship on a pleasure cruise with foreign national requiring visa

When any ship on a pleasure cruise carrying any foreign national requiring a visa enters Norwegian territorial waters, the master shall without delay go to the port which is indicated in the sailing permit, cf. § 111 and immediately report to the police. The master shall also report to the police in each of the permitted ports of call and has a duty to give notice of time of departure, sailing plan and next port of call.

§ 84. Duty to report for commander of any aircraft on an international flight

The commander of any aircraft on an international flight shall no later than 48 hours before departure obtain leave from the Civil Aviation Administration to land at any other place than an approved border crossing. The Civil Aviation Administration notifies the police authority concerned.

§ 85. Border-crossing

Entry and exit shall take place at any approved border crossing unless otherwise provided, cf. § 23 second paragraph of the Act. The Ministry of Justice lays down which border crossings are approved. A list of border crossings accompanies these Regulations as Appendix 1.

The provision of the first paragraph does not apply to

- (a) any Swedish or Norwegian national resident in any border area between Norway and Sweden in accordance with an exchange of notes between Sweden and Norway on 30 August 1917,
- (b) any Finnish or Norwegian national coming under the Agreement on Certain Norwegian/Finnish Border Questions of 4 January 1983,
- (c) any foreign national coming to or departing from the realm as an officer or member of the crew on any ship or aircraft, cf. § 117 fourth paragraph and § 84,
- (d) any foreign national arriving in Norwegian territorial waters on a pleasure cruise, cf. § 111.

The Directorate of Immigration or the chief of police concerned may when special grounds so indicate consent to entry or exit at any other place than an approved border crossing.

§ 86. Control authority

The police are responsible for border control.

The chief of police may pursuant to guidelines laid down by the Ministry of Justice give any customs officer, military personnel or any other person without police authority the power to carry out passport examination.

The base commander concerned is responsible for the passport control of any allied military personnel accompanying any such aircraft as is mentioned in § 147 first paragraph.

§ 87. Place of control, etc.

Passport examination on entry shall be carried out at any border crossing on the Nordic outer border.

Exit control may be carried out according to need.

Otherwise entry and exit control may be carried out in individual cases or for a specified period of time

- (a) at any border crossing on the inter-Nordic border in accordance with Article 8 of the Passport Control Convention,
- (b) at any other place along the border, on the coast or from any patrol vessel in Norwegian territorial waters.

The Directorate of Immigration makes any decision concerning control pursuant to the second and third paragraphs of this section. The chief of police makes any decision concerning such control in his or her own police district.

§ 88. Implementation of border control

At border control a check is made to ensure that any foreign national has a passport or any other identity document that is recognised as a travel document, cf. § 24 of the Act. A check is also made to ensure that any foreign national requiring a visa has a visa for Norway, cf. § 25 of the Act. At the Nordic outer border a check must be made to ensure that any foreign national who is travelling to any other Nordic country has any necessary visa, cf. Article 6 of the Passport Control Convention. It shall if necessary by closer examination be ascertained that there are no grounds for rejection, cf. § 27 of the Act.

If the passport control authority is in doubt as to whether any foreign national shall be permitted to enter the realm, the chief of police or any person the chief of police so empowers shall be contacted without delay.

In so far as they are appropriate, the provisions of the first and second paragraphs of this section also apply where exit control has been established, cf. § 87 second paragraph.

§ 89. Filling in entry cards

Any foreign national who is under an obligation to have a visa for entry into the realm or for entry into any other Nordic country, or who is using a seaman's identity card issued in conformity with ILO Convention No. 108, shall fill in an entry card. An entry card shall also be filled in by any non-Nordic national who has been expelled from one or more of the Nordic countries with a prohibition against returning without special leave.

The duty to fill in an entry card pursuant to the first paragraph does not apply to

- (a) any foreign national holding a residence permit or a work permit in Norway, cf. § 112,
- (b) any passenger on any tourist ship undertaking a visit of short duration on land in the port in which such ship is docked, cf. § 90 second paragraph.

The Directorate of Immigration may decide that any other person than any such person as is mentioned in the second paragraph of this section shall also be exempt from the duty to fill in an entry card.

§ 90. Checking of passengers on any tourist ship

On any tourist ship (cruise ship) coming from a non-Nordic port, a check of the passengers, which should ordinarily be limited to a check of the passenger list and of the passengers' travel documents without their attendance in person, shall be undertaken at the first port of call in Norway. Any passenger leaving the ship to take up residence on land or to travel through the realm shall be subject to immigration control in the normal manner, cf. § 88.

Any passenger requiring a visa who is on any such ship may without a visa undertake visits of short duration on land in the port in which such ship is docked. The chief of police concerned lays down the extent of this area. When disembarking any such passenger shall be issued with a separate disembarkation certificate by the passport control authority. When any such passenger re-embarks, the certificate is handed to the passport control authority or, if the passport control authority is not present, to the master of the ship or any person who is so empowered.

Where any tourist ship leaves any Norwegian port for any non-Nordic port the passport control authority shall require a copy of the passenger list from which it shall be apparent which passengers have left the ship, and a declaration from the master of the ship or any person who is so empowered that the remaining passengers are travelling with the ship out of the realm. The disembarkation certificates that have been given to the crew of the ship shall on the same occasion be handed over to the passport control authority.

§ 91. Disembarking or taking over of any person who has committed an offence, etc. on board any aircraft

Even where there are grounds for rejection, the passport control authority shall always accede to a request from the commander of any aircraft for the disembarking or taking over of any person in pursuance of Article 8 § 1, cf. Articles 12 or 9 § 1, cf. Article 13 § 1 of the Tokyo Convention of 14 September 1963 relating to crimes and certain other acts committed on board aircraft.

§ 92. Checking of passport or any other travel document before entry

In order to prevent any passport or any other travel document from getting lost, the chief of police may decide to undertake a check and require the presentation of a passport or any other travel documents by any foreign national before entry into the realm, cf. § 23 third paragraph of the Act.

To the extent that any foreign state consents, such checking and requirement of presentation may also take place on foreign territory. Any decision to this effect is made by the Ministry of Justice.

§ 93. Checking of travel documents by transport companies

The master of any ship or the commander of any aircraft has a duty to check that any passenger has a valid travel document, cf. § 23 third paragraph of the Act.

At the time of embarkation a check shall be made to ensure that any passenger has a passport or any other identity document that is recognised as a travel document and is valid for entry into Norway, which includes checking that any foreign national who is not exempt from the visa requirement, cf. § 105, has a valid visa.

The police shall notify the Directorate of Immigration if any foreign national arrives without a valid travel document including any necessary visa.

Travel document, cf. § 24 of the Act

§ 94. Passport requirement

Any foreign national coming to the realm shall have a passport or other identity document recognised as a travel document, cf. § 24 first paragraph of the Act.

The passport requirement does not apply to

- (a) any Nordic national coming to the realm via an approved border crossing from any Nordic country,
- (b) any such Swedish national as is mentioned in § 85 second paragraph (a) where the person concerned crosses outside an approved border crossing in the district where the person concerned lives,
- (c) any such Finnish national as is mentioned in § 85 second paragraph (b) where the person concerned crosses outside an approved border crossing in the district where the person concerned lives.

In addition to a passport or any other such identity document as is mentioned in the first paragraph of this section the couriers of any foreign state shall also have a document showing they are couriers and the number of parcels the diplomatic bag contains.

§ 95. Validity of the travel document for entry into Norway

The travel document is valid for the period of time it indicates and it does not entitle the holder to enter the realm after expiry.

§ 96. Conditions for accepting a passport as a travel document

A passport (national passport) shall have been issued by the competent authority in the state of which the holder is a national and be valid for entry into Norway. It shall confer entitlement to entry into the state of issue or a third country. The period of validity shall be indicated.

The passport shall contain a photograph of the holder, his or her full name, date of birth, details of nationality and signature.

The passport shall have text in Norwegian, Danish, Swedish, English, French, Italian, Spanish or German. The passport shall not have any correction in the text which has not been confirmed by the issuing authority.

§ 97. Refugee's travel document and immigrant's passport (alien's passport)

A refugee's travel document issued by a state in conformity with the rules contained in the Convention of 15 October 1946 or Article 28 with appendix of the Convention relating to the Status of Refugees of 28 July 1951 is recognised as a travel document. The travel document must confer entitlement to return to the state of issue.

Furthermore any other travel document or immigrant's passport which a state has issued to any foreign national or to any stateless person is recognised as a travel document on condition that the document otherwise satisfies the requirements which apply to passports, cf. § 96.

§ 98. Family passport

Spouses or cohabitants and their children under the age of 16 years may use a joint passport (family passport). The passport shall satisfy the requirements of § 96 for both spouses or cohabitants. For any child who is entered in a family passport it is sufficient that full name and date of birth are given.

A family passport may also be used by one spouse or cohabitant travelling alone or together with his or her children.

§ 99. Collective passport

Any foreign nationals who are exempt from the visa requirement, cf. § 105, and who are to travel through the realm together in a party or to stay here for a short time for a common purpose (e.g. tourist parties, sports clubs or associations), may use a joint passport (collective passport). The group may consist of no more than 50 persons.

The collective passport shall have been issued by the competent authority in the country of origin of the participating travellers, furnished with its stamp and made valid for entry into Norway. It shall confer entitlement to return to the state of issue. The period of validity shall be indicated. The passport must only include persons who are nationals of the issuing state. It shall provide information concerning the participants' full names, dates of birth and permanent places of residence, the name of the tour leader and the number and date of issue of the collective passport. The tour leader shall bring two copies of the passport, of which one shall be given to the passport control authority on entry and the other on exit in those cases when exit control takes place.

The tour leader must have a passport (national passport). The individual participants must have with them personal identity cards bearing a photograph issued by a public authority in the country of origin. The requirement concerning photographs does not apply to British

nationals travelling on a collective passport in pursuance of the Collective Passport Agreement of 31 March 1949 between Norway and Britain with subsequent amendments.

A collective passport for young persons under the age of 21 which is issued in pursuance of the Agreement of 16 December 1961 relating to young persons travelling on a joint passport between the member countries of the Council of Europe may include refugees and stateless persons under this age limit on the following conditions:

- (1) The issuing state has guaranteed to take them back even if these persons do not return together with the travel party.
- (2) The names of the refugees and stateless persons listed are kept separate from the names of the issuing state's own nationals with clear indication of their status.
- (3) The heading in the collective passport clearly indicates that the travel party does not only include the issuing state's own nationals.

§ 100. Travel documents for seamen

A sea service book may be valid as a passport for any seaman coming to the realm

- (a) to take up an engagement on a ship docked in a Norwegian port and who provides documentary evidence of engagement on the ship and intends to travel direct to the port concerned,
- (b) as a member of the crew of a ship and who after signing off is to take up an engagement on another ship in a Norwegian port, and who satisfies the conditions under (a),
- (c) as a member of the crew of a ship and who after signing off is to travel out of the realm, and who can support this by producing a ticket or documentary evidence of sufficient means, or
- (d) as a member of the crew of a ship when during shore leave the seaman is in the port in which the ship is docked, cf. § 117.

The sea service book shall have been issued by the competent authority in the state of which the holder is a national, confer entitlement to return to that state and satisfy the conditions of § 96 second and third paragraphs.

A seaman's identity card issued in accordance with the IMO Convention of 9 April 1965 on the easing of international maritime transport may furthermore be valid as a passport for any seaman coming to the realm who falls under the first paragraph of this section. The identity card shall satisfy the conditions in the second paragraph of this section. The condition that the text must be in one of the languages indicated does not however apply, but the passport control authority may demand a written translation of the document into Norwegian or into one of the other languages indicated.

A seaman's identity card issued in accordance with ILO Convention No. 108 relating to such documents may also be valid as a passport for any seaman coming to the realm who falls under the first paragraph of this section. The identity card shall satisfy the conditions in the third paragraph of this section. Information about nationality is however not necessary if the holder is not a national of the state which has issued the identity card. Even if this is not apparent from the identity card, the issuing authority is under an obligation to take the holder back for at least one year after the given date of expiry of its validity, cf. Article 5 of ILO Convention No. 108.

§ 101. Travel documents for members of crew of aircraft

A civil aviation licence or certificate (airline transport pilot licence, commercial pilot licence or air crew certificate) is recognised as a travel document for entry into and necessary stay in the realm for members of the crew of any aircraft calling at any Norwegian airport in international commercial traffic when the aircraft is registered in any state which is a member of the International Civil Aviation Organisation (ICAO) or one with which Norway has agreed on such recognition. The same applies to members of the crew on their way to or from active service.

The licence or certificate must indicate the country which has issued it and its number and kind. It shall have been provided with the stamp and signature of the issuing authority and the date of issue.

The licence or certificate shall contain a photograph of the holder, full name, date of birth, nationality and signature.

§ 102. Other identity documents recognised as a travel document

Instead of a passport any such valid identity document as is mentioned in Appendix 2 to these Regulations is recognised as a travel document.

As a travel document for the purposes indicated in the provision the following are recognised:

- (a) British "Emergency Travel Document" (emergency passport) when it is stated in the emergency passport that the destination is Britain, for travellers in transit in Norway,
- (b) German "Reiseausweis als Passersatz zur Rückkehr in die Bundesrepublik Deutschland" issued by a competent authority in the Federal Republic of Germany, for direct through travel and for exit to the Federal Republic of Germany.

§ 103. The power of the Directorate of Immigration to grant exemption from the passport requirement, etc.

The Directorate of Immigration may in special cases exempt any foreign national from the passport requirement or accept a document other than that which follows from the general rules, cf. § 24 third paragraph of the Act.

Visa (entry permit), cf. § 25 of the Act

§ 104. Visa requirement

Unless otherwise provided, any foreign national must have a visa to be able to enter the realm, cf. § 25 of the Act.

§ 105. Exemption from the visa requirement

Exempt from the visa requirement are

- (a) any Nordic national and any foreign national holding a valid passport (national passport) from those states with which Norway has at any time entered into an agreement on visa-free entry. A list of these states accompanies these Regulations as Appendix 3,
- (b) the holder of a valid British passport which confers entitlement to entry into and residence in Britain without restrictions in accordance with further guidelines issued by the Directorate of Immigration,
- (c) the holder of any such valid identity document as is mentioned in § 102 first paragraph provided that the holder is a national of the state which has issued the document,
- (d) the holder of any such travel document as is mentioned in § 102 second paragraph for such purposes as are there mentioned,
- (e) the holder of a valid Nordic immigrant's passport when it is apparent from the passport that the holder is entitled to return to and reside in the state which has issued the document,
- (f) the holder of a refugee's travel document issued in accordance with the Agreement of 15 October 1946 or the Convention relating to the Status of Refugees of 28 July 1951 by a state which has acceded to the European Agreement on the Abolition of Visas for Refugees of 20 April 1959 when it is apparent from the travel document that the holder has a valid residence permit in or valid entitlement to return to the state which has issued it. A list of the states which have acceded to the Agreement of 20 April 1959 accompanies these Regulations as Appendix 4,
- (g) the holder of a refugee's travel document issued as mentioned under (f) by a state which has acceded to the Agreement relating to Refugee Seamen of 23 November 1957. It is a prerequisite that it is apparent that the holder has valid entitlement to return to the state of issue. The holder must provide documentary evidence that he or she is to take up an engagement on a ship in a Norwegian port or a port in a state which has acceded to the Agreement relating to Refugee Seamen and to which the holder may travel either direct or through any of the other contracting states. A list of the states which have acceded to the Agreement accompanies these Regulations as Appendix 5,
- (h) the holder of a seaman's identity card issued in accordance with ILO Convention No. 108, cf. § 100 fourth paragraph. A list of the states which have acceded to the Convention accompanies these Regulations as Appendix 6,
- (i) the holder of any such valid civil aviation licence or certificate as is mentioned in § 101 used for such purpose as is there mentioned,
- (j) the holder of a Philippine "Seafarer's Identification and Record Book" and/or a Philippine national passport, cf. the shipping agreement of 22 October 1999 between the Philippines and Norway. The holder must produce written confirmation from the ship-owner or the ship-owner's representative that the holder is to take up an engagement on a ship in a Norwegian port.

§ 106. Conditions for visitor's visa

A visitor's visa may be issued for any tourist visit, family visit, public assignment, business travel, study visit or other purpose where a residence permit or a work permit is not required and the applicant has:

- (1) A valid passport or any other identity document recognised as a travel document, cf. § 24 of the Act.
- (2) Entitlement to return to the country in which the applicant is resident or to another country, cf. fourth paragraph.
- (3) Means to cover the return journey and stay. Means for travel and stay may, as the case may be, be guaranteed by a person resident in Norway.

In accordance with further guidelines laid down by the Directorate of Immigration a visitor's visa may be issued to any such applicant as is mentioned in § 10 second to fourth paragraphs even if a residence permit or work permit is required.

Any foreign national requiring a visa who is included under the EEA Agreement shall be given a visitor's visa. Any such foreign national is exempt from the duty to pay a fee, cf. § 110 last paragraph.

The travel document must be valid for not less than three months beyond the period for which the foreign national is given a visitor's visa. Any foreign national who has leave to reside in any other country than the country of origin must have entitlement to return to the country of residence. Such entitlement to return must be valid for not less than three months beyond the period for which the foreign national is given a visitor's visa. The Directorate of Immigration may in the individual case make exceptions to the provisions of this paragraph.

A visa shall not be issued where there are grounds for rejection or expulsion, cf. § 27 and § 29 of the Act. Otherwise a visa shall be issued unless consideration for security, foreign policy or immigration policy indicates the contrary or there is reason to doubt the stated purpose of the journey or the correctness of the information given. The applicant shall be made aware that exceeding the time limit for exit may lead to expulsion pursuant to § 29 of the Act and that expulsion is an obstacle to subsequent entry.

§ 107. Duration and content of a visitor's visa

A visitor's visa is issued for a stay of specified duration of up to three months. The maximum duration is calculated in accordance with the provisions of § 7 second paragraph.

A visitor's visa is normally issued for one entry. In the case of special need it may be issued for a definite or indefinite number of entries within a 12-month period.

A visitor's visa confers upon the holder entitlement to enter and stay in the realm for the period of time indicated unless the provisions of § 27 and § 28 of the Act apply. A visitor's visa does not confer entitlement to take up employment or to run any business activity here.

Any foreign national who is in Norway on a visitor's visa may be given a visa by the police for a new entry before the expiry of the period of time indicated in the visa. A return visa is not required for a return journey from any other Nordic country within the period shown on

the visa. A visa of shorter duration than that mentioned in the first paragraph of this section may be extended by the police up to the maximum period of residence, cf. the first paragraph of this section and § 106 fourth paragraph.

In a visitor's visa the date of the last day of entry is set in relation to the purpose of the visit. The date of the last day of entry shall not be set later than six months from the making of the decision unless special grounds suggest an exception.

§ 108. Procedure for application for a visitor's visa

Any application for a visa is to be submitted on a prescribed form. The application shall be accompanied by a photograph of the applicant and bear the applicant's signature.

The visa application is to be sent or delivered to any Norwegian foreign service mission or to any foreign service mission of another country as mentioned in § 110 first paragraph.

The Directorate of Immigration may in the individual case and for groups of applicants consent to the submission of an application in another manner.

Where any foreign national applies for a work permit or a residence permit, cf. § 11, a separate application for a visa shall not be submitted, cf. § 112.

§ 109. Dealing with applications for a visitor's visa

The foreign service mission which receives the application shall obtain all the information that is deemed necessary for the case to be as clearly documented as possible before any decision is made. If the application is submitted in any other country than that of which the applicant is a national, the foreign service mission shall obtain information about the applicant's grounds for residence in the country concerned.

The applicant must provide proof of identity in the form of a passport or any other identity document issued by a public authority and shall be required to provide documentary evidence of other information supplied when this is deemed necessary. It may be demanded that the applicant shall hand in the application in person.

The authority which receives the application ensures that it is correctly filled in and that the application is accompanied by the necessary enclosures. An endorsement shall be made stating how the applicant's identity has been confirmed, cf. § 128a.

Where the foreign service mission decides any application for a visitor's visa, cf. § 110 second paragraph, one copy of the application containing the mission's comments and bearing the date of the decision is to be registered, retained and, if appropriate, forwarded to the Directorate of Immigration in accordance with further guidelines issued by the Directorate of Immigration in consultation with the Ministry of Foreign Affairs.

Where the foreign service mission does not itself decide the application, one copy of the application with the mission's comments is to be forwarded to the Directorate of Immigration

for decision. If the case is urgent, it may be submitted to the Directorate of Immigration by telephone or other means of telecommunication. Reporting takes place pursuant to the provision of the fourth paragraph of this section. The decision is announced to the mission concerned for further communication to the applicant.

Any foreign national holding a family passport, cf. § 98, or any another recognised joint travel document is given a joint visa.

The Directorate of Immigration may in individual cases consent to the issue of a joint visa to persons holding an individual passport and travelling in a group. Such a visa is issued on the list of participants, which shall contain details of the participants' full names, dates of birth, nationalities and passport numbers.

The Directorate of Immigration may lay down another procedure for dealing with visa applications from specific categories of foreign nationals.

§ 110. Power of decision and issue of a visitor's visa

Unless otherwise provided, any application for a visa is decided by the Directorate of Immigration, cf. § 25 fourth paragraph of the Act. The issue of a visa is undertaken by any Norwegian foreign service mission which has been given the power of issue by the Ministry of Foreign Affairs. With the approval of the Directorate of Immigration the Ministry of Foreign Affairs may decide that other countries' foreign service missions shall also have the power to issue a Norwegian visa.

The Ministry of Foreign Affairs may with the approval of the Directorate of Immigration decide that any Norwegian foreign service mission shall have the authority to decide an application for a visitor's visa in general or in more clearly specified cases.

A list of the missions which have the power of decision and/or the power of issue accompanies these Regulations as Appendix 7.

Any application for a visitor's visa shall as a general rule be submitted to the Directorate of Immigration for decision where the foreign national is a refugee or stateless or where there is doubt about his or her nationality. The Directorate of Immigration may issue further guidelines. An application from any foreign national who has been expelled from Norway or any other Nordic country shall be submitted to the Directorate of Immigration for decision. Where the foreign service mission is in doubt as to whether an application for a visitor's visa shall be granted or rejected, cf. particularly § 106 fifth paragraph, the application shall always be submitted to the Directorate of Immigration for decision.

The Directorate of Immigration may in individual cases and when laying down general guidelines instruct any Norwegian foreign service mission which has been given the power of decision. This does not apply when the Ministry of Foreign Affairs has been given the power of decision, cf. § 149. As far as possible correspondence in individual cases shall be conducted direct between any foreign service mission and the Directorate of Immigration. General guidelines are communicated through the Ministry of Foreign Affairs.

A visa is given in the form of an endorsement in the passport or any other identity document or in the form of a separate document, cf. § 25 second paragraph of the Act.

When a visa is issued a fee shall be paid in accordance with the tariff of fees for Norwegian foreign service missions laid down pursuant to § 22 of Act No. 1 of 18 July 1958 concerning the foreign service.

§ 111. Visa for a foreign national on a pleasure cruise

Any foreign national requiring a visa who intends to undertake a pleasure cruise in Norwegian territorial waters must in advance obtain special leave for this. Normally such leave is granted only in the period from 1 May until 15 September and only on one occasion in the course of the period. No later than two months before the planned departure from the country of origin an application for a visa for each individual participant must be submitted to a Norwegian foreign service mission. The visa applications shall be accompanied by a separate list of all participants and information about the ship and the cruise in accordance with the prescribed form.

All participants must have valid travel documents.

In addition to a visa for each individual participant a sailing permit is issued. The permit indicates the period during which sailing is permitted, the name of the vessel, the port of call for passport and customs control, and the shipping lane with indication of those ports at which leave has been granted to call. It is not permitted to call at any other port than those indicated in the sailing permit except in case of emergency.

Visas and sailing permits are issued by the Directorate of Immigration.

§ 112. Visa for a foreign national who is issued with a work permit or a residence permit or who is included in a collective work permit

Where any foreign national requiring a visa is issued with a work permit or a residence permit, any foreign service mission with the power of issue shall issue a visa conferring leave to reside for seven days, cf. § 14 first paragraph of the Act. An application for a visa from any foreign national who is included in a collective work permit is forwarded to the Directorate of Immigration for decision.

Where a work permit, residence permit or individual leave to work in a group has been inscribed in the foreign national's travel document, cf. § 12 fifth paragraph and § 29 fourth paragraph, the foreign national may without any separate visa make repeated entries into the realm within the period of time for which the permit is valid. The same applies to a settlement permit.

§ 113. Emergency visa

Any foreign national requiring a visa who reports to passport control without a valid visa may, where the conditions in § 106 are satisfied, be issued with an emergency visa (entry permit) where strong grounds so indicate and the reason that the visa is lacking is deemed excusable. Even if the conditions in § 106 are not satisfied, an emergency visa may nevertheless be issued if particular reasonable grounds so indicate. The provisions of § 107 and § 110 apply.

Any foreign national who claims to be a refugee or otherwise provides information which indicates that the protection provisions of § 15 first paragraph of the Act, cf. § 27 third paragraph of the Act, will be applicable shall be given entitlement to entry without the issue of an emergency visa.

Any members of the crew of a ship who require a visa and who sign off from any Norwegian or foreign ship while it is in a Norwegian port, cf. § 114, may be given a joint visa, cf. § 109 seventh paragraph.

Where an emergency visa is issued, a fee shall be paid corresponding to the standard court fee, cf. § 27(a) of the Public Administration Act. The Directorate of Immigration may waive the fee when particular grounds so indicate. For any such joint visa as is mentioned in the third paragraph of this section a fee shall be paid corresponding to three times the standard court fee.

Leave to sign off from a ship and shore leave, cf. § 26 of the Act

§ 114. Check of foreign national leaving an engagement on a ship in a Norwegian port

If any foreign national wishes to leave an engagement on board any Norwegian or foreign ship while it is in a Norwegian port, the master of the ship shall give notification to the police, who decide whether leave shall be granted to go ashore, cf. § 26 first paragraph of the Act.

Any decision to refuse leave to go ashore is made by the chief of police or any person the chief of police so empowers, cf. § 26 first paragraph and § 31 first paragraph of the Act. An appeal may be made against any such decision to the Directorate of Immigration, cf. § 38 of the Act. The employment office concerned shall notify the police without delay if it becomes aware that any foreign national is to leave an engagement on a ship in the realm.

Leave to go ashore may only be granted where any foreign national is in possession of a valid passport, sea service book or any other identity document recognised as a travel document. Any foreign national requiring a visa must have a visa or special consent from the Directorate of Immigration.

Any foreign national who is to travel to any destination outside the realm must in addition have a visa or special permit to travel through those countries which are to be crossed in order to reach such destination, and if necessary leave to enter the country where such destination is.

On condition that a foreign national immediately takes up an engagement on another ship in a Norwegian port or leaves the realm without delay, the police may grant leave to go ashore even if the conditions in the third and fourth paragraphs of this section are not satisfied.

Where any foreign seaman with an identity card issued in accordance with ILO Convention No. 108, cf. § 100 fourth paragraph, goes ashore, an entry card shall be filled in and a check made pursuant to § 88. Any such foreign national does not require a visa, cf. § 105(h).

The provisions of the third and fourth paragraphs of this section do not apply to any Nordic national or any British national who has an "Identity and Service Certificate" or a "Certificate of Discharge". Any such foreign national may only be refused leave to go ashore where there are special grounds and the Directorate of Immigration has given its consent.

Where leave has been granted to any seaman to leave an engagement on board any ship, this shall be inscribed in the passport or any other identity document of the person concerned or be apparent from a separate document.

The master of the ship (captain) has a duty to take on board again any member of the crew who has been refused leave to go ashore, or otherwise take the person concerned out of the realm in accordance with further direction from the police.

§ 115. Guarantee for expenses in connection with any foreign seaman going ashore

Where it is deemed necessary, the police shall require a guarantee from the ship's owner, charterer, master or agent for the expenses for which he or she is liable pursuant to § 144, cf. § 46 fourth paragraph of the Act, where a foreign seaman goes ashore without leave from the police. It may also be required that a guarantee be provided as a condition of the granting of such leave.

It shall not be required that a guarantee be provided for any Nordic national unless there are special reasons for so doing.

The Directorate of Immigration may drop the requirement for a guarantee and waive the invocation of liability where this is found reasonable in the individual case.

The police shall provide notification that a guarantee provided has ceased to apply where liability no longer exists.

§ 116. Stowaways

The provisions of § 114 and § 115 apply correspondingly to any foreign stowaway on any Norwegian or foreign ship who wishes to go or who goes ashore in any Norwegian port.

On the basis of humanitarian grounds, national considerations or consideration for international obligations leave to go ashore may be granted even if the conditions of § 114

third paragraph are not satisfied. The police shall refer the question of whether such leave shall be granted to the Directorate of Immigration for decision.

§ 117. Checking foreign seamen

Any foreign national who comes to the realm as a member of the crew of any Norwegian or foreign ship shall not be subject to entry clearance unless the person concerned is to leave an engagement on the ship, cf. § 114.

Any such foreign national may without leave from the police undertake visits during shore leave and stay in the port where the ship is in dock for the time during which it is in dock there, but not for more than three months. The chief of police concerned decides the extent of this area. If any foreign national wishes to travel to any other place in the realm or to any other Nordic country while the ship is here, passport examination shall be carried out in the usual manner. Such examination shall also be carried out when the ship's total time in dock in any Norwegian or other Nordic port exceeds three months. In such cases a residence permit is required, cf. § 7, to go ashore and to stay in the Norwegian port or ports at which the ship calls.

The police may refuse any foreign member of a ship's crew shore leave when this is found to be necessary for any reason connected with public order or security or for any other special reason.

The police may undertake examination of the identity documents of any foreign crew member as the need arises or as spot checks. With the consent of the Directorate of Immigration the police may in individual cases carry out entry clearance of foreign seamen at an earlier time than is mentioned in the first and second paragraphs of this section.

§ 117a. Application for asylum from a foreign stowaway or seaman

Where any foreign stowaway or seaman claims to be a refugee or otherwise gives information that suggests that the protection rules in § 15 first paragraph of the Act will apply, the matter shall be referred to the Directorate of Immigration for consideration and decision. Any such foreign national shall normally be granted leave to go ashore. Any such decision is made by the Directorate of Immigration.

CHAPTER 5. REJECTION AND EXPULSION

Rejection, cf. § 27, § 28 and § 31 of the Act

§ 118. Conditions for rejection and power of decision

Any foreign national may be rejected where the general conditions pursuant to § 27, § 28 and § 30 of the Act are satisfied and any such decision is not in conflict with § 15 of the Act.

Any foreign national under the age of 20 years who is permanently resident in one of the other Nordic countries and who is participating in group travel of limited duration (class trip, sports club, etc.) led by an adult person, shall not be rejected pursuant to § 27 first paragraph (a) of the Act even if the person concerned lacks a valid passport or any other recognised travel document.

The Directorate of Immigration may issue further guidelines concerning what is deemed to be sufficient means, cf. § 27 first paragraph (d) of the Act. A guarantee from a third party may in such cases be accepted in accordance with guidelines issued in pursuance of § 19 and § 106.

Any decision to reject pursuant to § 27 first paragraph (a) to (h) of the Act is made by the chief of police or any person the chief of police so empowers, cf. the first sentence of § 31 first paragraph of the Act. Any decision to reject pursuant to § 27 first paragraph (i) and (j) of the Act is made by the Directorate of Immigration, cf. the second sentence of § 31 first paragraph of the Act.

Any decision to reject pursuant to § 28 of the Act is made by the Directorate of Immigration, cf. § 31 first paragraph of the Act. Where there is no doubt that the conditions in § 27 first paragraph (a), (b), (c) or (d) of the Act are satisfied, any decision to reject is nevertheless made by the chief of police or any person the chief of police so empowers until such time as the foreign national has resided in the realm for three months after the expiry of the visa-free period of residence or after the period of validity of the visa.

§ 119. Rejection of an asylum-seeker

Where the condition pursuant to § 27 first paragraph (a) of the Act, cf. § 28 of the Act, is satisfied, any foreign national who has had an application for asylum rejected, cf. § 17 of the Act, and who is not granted either a work permit or a residence permit pursuant to § 8 second paragraph of the Act, shall be rejected on this basis if it is probable that implementation may be effected before the foreign national has stayed in the realm for six months.

Otherwise any such foreign national as is mentioned in the first paragraph of this section shall be rejected pursuant to § 27 first paragraph (c) of the Act, cf. § 28 of the Act, if it is probable that implementation may be effected before the foreign national has stayed in the realm for three months. Any foreign national who has applied for asylum is deemed to have had the intention to stay for more than three months, cf. § 6 second paragraph of the Act.

§ 120. Implementation of a rejection order

Any rejection order is implemented in accordance with the provisions of § 39, § 40 and § 41 of the Act.

Any rejection order is implemented without undue delay. Where rejection is undertaken at an inter-Nordic border, the police shall as far as possible inform the nearest police authority in the Nordic country to which the person is rejected.

Expulsion, cf. § 29, § 30 and § 31 of the Act

§ 121. Conditions for expulsion, power of decision and appeal

Any foreign national may be expelled when the general conditions pursuant to § 29 and § 30 of the Act are satisfied and the decision is not in conflict with § 15 of the Act.

Any decision to expel is made by the Directorate of Immigration, cf. § 31 first paragraph of the Act.

Any appeal against a decision of the Directorate of Immigration may be made to the Ministry of Justice, cf. § 38 of the Act.

§ 122. Duration and content of expulsion

Any valid work permit, residence permit or settlement permit ceases to apply when a decision to expel is final.

Expulsion is an obstacle to subsequent entry into the realm, cf. § 29 third paragraph of the Act. The prohibition of entry is normally made permanent.

Where the circumstances which constitute the grounds for expulsion are not so serious that access to the realm should be denied permanently, the prohibition of entry may be of limited duration but not as a general rule for a period of less than two years. In the assessment weight is also placed on the foreign national's personal and family circumstances.

§ 123. Implementation of an expulsion order

Any expulsion order is implemented in accordance with the provisions of § 39, § 40 and § 41 of the Act.

Before any expulsion order is implemented, the police shall take the fingerprints and a photograph of the foreign national in accordance with the provisions contained in or in pursuance of § 160 of the Criminal Procedure Act and § 11-2 of the Prosecution Instructions.

Any person whom it has been decided to expel shall be made aware of the prohibition of entry contained in the decision and of the fact that any breach of the prohibition of entry is punishable, cf. § 47 first paragraph (a) of the Act and § 342 first paragraph of the Criminal Code. Any foreign national who is not a Nordic national shall be made aware that the prohibition of entry also means that the person concerned cannot travel to another Nordic country without special leave from the authorities in the country concerned.

§ 124. Access to the realm before the expiry of the two-year time limit

Where in pursuance of section 29 third paragraph of the Act prohibition of entry for not less than two years has been laid down, an application for access to the realm before two years have elapsed may only be granted where there are strong reasonable grounds, and normally only for a short visit.

The application is sent via a Norwegian foreign service mission to the Directorate of Immigration for decision, cf. § 31 first paragraph of the Act.

Rules of procedure in rejection and expulsion cases, cf. § 59 of the Act

§ 125. Rules of procedure in rejection and expulsion cases

The police shall give any foreign national who is being considered for rejection or expulsion guidance concerning the rights which follow from § 34 of the Act and if necessary ensure that an interpreter is summoned, cf. § 33 of the Act.

Grounds for any decision to reject or expel shall be given in accordance with the provisions of the Public Administration Act.

Notification shall be given in a language the foreign national understands. The person concerned shall be made aware of § 27 third paragraph of the Public Administration Act and it shall be apparent from the endorsement that such information has been given.

Any rejection or expulsion order shall be inscribed in the foreign national's passport or other travel document unless there is reason to suppose that this may expose the holder of the travel document to punishment or any other sanction in his or her country of origin or in the country to which the person concerned is rejected or expelled, or it otherwise appears unreasonable in respect of the foreign national.

§ 126. Special rules of procedure for the expulsion of a convicted foreign national

Any decision to expel ought in the event to be made as soon as possible after conviction with no further right of appeal or the serving of a sentence has been commenced, cf. § 453 of the Criminal Procedure Act, and preferably not later than will allow the decision to be implemented at the same time as release or transfer to another country for sentence to be served. If any expulsion order has not been implemented one year after the Directorate of Immigration or the Ministry of Justice last gave consideration to the case, the police shall notify the Directorate of Immigration before implementation takes place. The Directorate shall in any such case of its own motion consider whether the grounds for the decision to expel still obtain.

Where a decision to expel is not made because protection pursuant to § 15 first paragraph, cf. final paragraph, of the Act applies, the foreign national is to be informed of this and of the

fact that the case will be considered at a later time. The Directorate of Immigration must make any decision to expel no later than one year after release.

The prison authorities are to be informed when any administrative proceedings for expulsion have been instituted and when a decision to expel has been made. In good time before release is to take place, the prison authorities shall inform the police authority that dealt with the case of the date set for release.

§ 127. Duty to give notification

The police shall notify the Directorate of Immigration when any rejection or expulsion order has been implemented.

CHAPTER 6. RULES OF PROCEDURE AND LEGAL AID

Identification, cf. § 37 of the Act

§ 128. Identification of a foreign national

On entry, and until his presumed correct identity has been registered, any foreign national has a duty to help to clarify his identity, cf. the first sentence of § 37 first paragraph of the Act.

Any such authority as is mentioned in § 5 third paragraph may order a foreign national to

- (a) provide information about matters that are connected with the foreign national's identity, inter alia name, nationality, date of birth, place of birth, place of abode/place of residence in the country of origin, marital status, family members, identity documents and itinerary to Norway,
- (b) present any travel document or similar document issued by a public authority at home or abroad as confirmation of the foreign national's identity. Any foreign national who does not have such a document in his possession may be ordered to obtain it. The foreign national may also be ordered to assist in the procurement or issue of such a document, including allowing himself to be escorted to the foreign service mission of the country concerned and providing the information that is necessary in order to have a travel document issued,
- (c) present any documents issued by the foreign national himself, public authorities or others at home and abroad, in which information about the foreign national's identity is wholly or partly apparent. Any foreign national who does not have any such documents in his possession may be ordered to obtain them or to assist in their being obtained,
- (d) present any letters, notes, electronically stored information etc. issued by the foreign national himself or others, in which information about the foreign national's identity is wholly or partly apparent,
- (e) obtain or assist in the procurement of information from public authorities at home and abroad concerning any records that may contribute to clarifying the foreign national's identity,

- (f) obtain or assist in obtaining information about schooling, employment, housing, matters relating to banking and insurance etc. at home and abroad which may contribute to clarifying the foreign national's identity,
- (g) present tickets, baggage receipts and similar documents,
- (h) undergo a language test,
- (i) take a handwriting test in order that a comparative examination of handwriting may be undertaken.

An asylum seeker may not be ordered to make contact with the authorities of his country of origin or to assist in clarifying his identity in any other manner that may come into conflict with a need for protection. This does not apply to any asylum seeker who has had his application for asylum rejected with a duty to leave the realm, or who has been granted leave to work or leave to reside on another basis than a need for protection.

If there is reason to suppose that the identity under which a foreign national is registered is nevertheless not his correct identity, the foreign national has a duty to contribute to clarification, cf. the second sentence of § 37 first paragraph of the Act. The first and second paragraphs of this section apply correspondingly to any such foreign national. Before such an order is given, the foreign national shall be made aware of, and given an opportunity to make a statement about, the basis for the supposition that the registered identity is not the correct identity.

Any foreign national who is ordered to assist in clarifying his identity in pursuance of the first or third paragraphs of this section, shall be made aware of the relevant provisions and of the fact that it may be punishable to fail to comply with such an order, cf. § 47 first paragraph (a) of the Act. The foreign national shall also be made aware that it may be punishable to give essentially incorrect or clearly misleading information, cf. § 47 first paragraph (b) of the Act, or to make a false statement, cf. § 166 of the Criminal Code.

§ 128a. Photographs and fingerprints of foreign nationals

An application for a residence permit, work permit and visa shall be accompanied by a photograph, cf. § 11 first paragraph and § 108 first paragraph. The Directorate of Immigration may issue further provisions concerning when the application shall be accompanied by fingerprints, cf. § 37 fourth paragraph (b) of the Act.

Photographs and fingerprints shall be taken of

- (a) any foreign national who cannot provide documentary evidence of his identity or in respect of whom there is reason to suppose that the foreign national has given a false identity, cf. § 37 fourth paragraph (a) of the Act,
- (b) any foreign national who applies for asylum, cf. § 37 fourth paragraph (b) of the Act,
- (c) any foreign national over the age of 18 who applies for family reunification with an asylum seeker, cf. § 37 fourth paragraph (b) of the Act,
- (d) any such foreign national as is mentioned under (b) or (c) in this paragraph who has had his application rejected, where fingerprints have not been taken earlier, cf. § 37 fourth paragraph (c) of the Act,
- (e) any foreign national who is expelled, cf. § 11-2 (d) of the Prosecution Instructions and § 37 fourth paragraph (d) of the Act,

- (f) any foreign national who is expelled after having been sentenced or given a waiver of prosecution, cf. § 37 fourth paragraph (d) of the Act,
- (g) any foreign national who has stayed unlawfully in the realm, cf. § 37 fourth paragraph (d) of the Act.

Otherwise photographs and fingerprints may be taken of

- (a) any foreign national who has had an application for a permit under the Act rejected, cf. § 37 fourth paragraph (c) of the Act,
- (b) any foreign national who is rejected pursuant to § 27 or § 28 of the Act, cf. § 37 fourth paragraph (d) of the Act,
- (c) any foreign national who is deemed to be staying unlawfully in the realm, cf. § 37 fourth paragraph (d) of the Act.

The Directorate of Immigration may issue further provisions concerning when photographs and fingerprints shall be taken in pursuance of the third paragraph of this section.

§ 129. Storage and registration of photographs and fingerprints

Photographs and fingerprints taken in pursuance of § 128a shall be stored in the individual immigration case.

Any such fingerprints as are mentioned in the first paragraph shall be registered in a computer-based fingerprint register, cf. § 37 fifth paragraph of the Act. Such prints shall be stored in a separate file (the immigration register) in the ordinary fingerprint register of the National Bureau of Crime Investigation.

The legal authority for such prints shall be indicated. The prints shall be marked with their own reference number.

The National Bureau of Crime Investigation is responsible for the register. The Ministry of Justice is the owner of the register.

§ 129 a. Searches in the immigration register and other registers

At the same time as a fingerprint is registered, a search shall be conducted

- (a) in the immigration register to find out whether the foreign national has already been registered under the same or any another identity,
- (b) in the ordinary fingerprint register to find out whether the foreign national is wanted by the police in Norway or any another country.

Where there is reason to suppose that the foreign national has had residence in any other country than the country of origin prior to arrival in Norway, the fingerprint may be forwarded to the authorities of that country for search there.

Any fingerprints received from the immigration authorities in any other country may be used for any search in the immigration register, and information from the register may be supplied in accordance with any exchange agreement with any other country or otherwise after

concrete assessment. The same applies to the fingerprints of any foreign national who is wanted for any serious criminal offence, received from Interpol or direct from the police authority of any other country.

A search in the immigration register shall not be conducted in connection with the investigation of any criminal act committed in Norway.

§ 129 b. Erasure of fingerprints

The fingerprint shall be erased from the immigration register when the foreign national has been granted asylum or a permit which may constitute a basis for a settlement permit. Nevertheless this does not apply if there is still doubt about the identity of the foreign national. In such cases such fingerprint shall be erased when there is no longer any doubt about the identity or when the foreign national has been given a settlement permit.

The fingerprints of any foreign national who has had an application for asylum or any permit rejected with no further right of appeal, or who is rejected or expelled from the realm shall be erased on the expiry of five years from the date of decision. Nevertheless this does not apply if any such decision as is mentioned in the first sentence of this paragraph of this section is made out of consideration for the security of the realm. In such cases nor does the ten-year time limit in the third paragraph of this section apply.

The Directorate of Immigration shall inform the National Bureau of Crime Investigation when any print shall be erased pursuant to the first paragraph of this section and give notification of the basis for calculation of the time limit in the second paragraph of this section. The Directorate of Immigration may issue further provisions concerning when any fingerprint taken in pursuance of § 128a first and third paragraphs shall be erased. Any print that has not been erased earlier shall be erased ten years after last registration.

The procedure for the implementation of decisions, cf. § 41 and § 59 of the Act

§ 130. Removal

The police shall carry out the necessary exit control and decide whether any escort is required. In assessing the need for any escort particular account should be taken of the security on board the means of transport, of the possibility that the foreign national will not travel out of the Nordic passport control area, of whether the transport company or the master of the vessel or the commander of the aircraft has asked for an escort, and of the need for assistance to the foreign national. The police shall in the individual case assess for what distance any such escort is required.

The number of escorts is determined in the individual case in the light of the number of persons who are to be conducted out, their sex and personal situation otherwise, the length of the journey, the method of transport and the circumstances otherwise.

Before transport is commenced, the police shall inform the master, commander or driver of the means of transport concerned.

The police authorities in any relevant place of transit abroad should be notified in advance if the foreign national will be present on the territory of their country outside the means of transport or when such notification is found necessary for security or any other reasons.

The general service instructions for the police (Police Instructions) apply to any such removal as far as they are relevant. When any escort duty has been completed, the police shall send a report on the removal to the Directorate of Immigration.

Legal aid, cf. § 42 of the Act

§ 131. Guidance on the right to legal aid

In any case concerning rejection, expulsion and revocation of any permit granted, and where any foreign national applies for asylum, the police shall provide guidance concerning the rights which follow from § 34 and § 42 third paragraph of the Act. The police shall also provide information concerning the right of the public purse to demand repayment where free legal advice has been given without a means test, cf. § 132.

Guidance shall be provided in connection with the submission of any application for asylum. In any other case guidance is provided at the same time as advance notification where this is required, cf. § 16 of the Public Administration Act, and otherwise at the same time as notification of the decision. Guidance shall be provided in a language the foreign national can understand.

§ 132. Recovery of public costs

In any instance in which free legal advice has been granted without a means test, cf. § 42 third paragraph of the Act, a demand may be made for the recovery of part or all of the public costs in connection with such legal aid if the foreign national has the financial means available, cf. § 42 fourth paragraph of the Act.

Where the Ministry of Justice finds reason to raise the question of such recovery, the case is sent to the county governor concerned, who decides whether recovery shall be demanded.

Where the Directorate of Immigration supposes that the provision in the first paragraph of this section may apply, the case is sent to the Ministry of Justice.

In any instance in which free conduct of a case has been granted without a means test, cf. § 42 second paragraph of the Act, the provisions in this section apply correspondingly.

§ 133. Assistance to contact an advocate. Advocate provision system

The police shall assist any foreign national in making contact with an advocate if the foreign national so desires.

The Ministry of Justice may establish advocate provision systems to assist any foreign national in any rejection or asylum case. Where an advocate provision system has been established, the foreign national may only use any other advocate than the one provided through the system when special grounds so indicate and the case will not be delayed. If the foreign national is already represented by an advocate, this advocate shall be used provided this may be done without delaying the case.

CHAPTER 7. MISCELLANEOUS PROVISIONS

Special rules in the interests of national security relating to leave to work, leave to reside or leave to settle, cf. § 43 first paragraph of the Act

§ 134. Special rules in the interests of national security

Leave to work for any appointment which may provide knowledge of any issue of significance to this country's defence or civil defence and emergency training or which is otherwise of significance to security, shall only be granted to any foreign national after the security aspects have been carefully assessed. If any work permit is granted, restrictions or conditions may be imposed for the permit. The provisions of the Directive for the Security Checking of Foreign Nationals in the Civil Service, laid down by Royal Decree of 6 June 1975, apply.

A residence permit may be refused or restrictions or conditions may be imposed if the stay may involve knowledge of any such matter as is mentioned in the first paragraph of this section. The same applies if for any other reason such stay may involve any security risk.

If there is reason to suppose that any foreign national who has the right to a settlement permit, cf. § 12 of the Act, wishes to take work in any such activity as is mentioned in the first paragraph of this section, it may be laid down as a restriction in the settlement permit that such an appointment is not taken up.

§ 135. Power of decision

The Directorate of Immigration makes any decision in any case pursuant to § 134 after having obtained a statement from Headquarters Defence Command Norway and the National Security Police.

Duty to give notification, cf. § 45 of the Act

§ 136. Places providing overnight accommodation

Any person running any hotel, boarding house, lodging house, camping site, etc. shall keep a list of all those staying overnight, cf. § 45 first paragraph (a) of the Act. Such list shall contain information concerning the guest's name, date of birth, occupation, place of abode, nationality and date of arrival, cf. § 45 second paragraph of the Act. If the guest is travelling together with any child who is under the age of 18, the name and date of birth of any such child shall be noted. In respect of any foreign guest with the exception of any Nordic national the list shall also contain information concerning the type of travel document and its number.

The chief of police or any person the chief of police so empowers shall approve the way in which the list is kept and shall at any time have access to the list for scrutiny.

The police shall be given notification of any foreign guest staying overnight with the exception of any Nordic national. Such notification shall be in conformity with the list kept and shall be sent to the police as soon as possible after the arrival of any foreign national.

Any such notifications as the police receive pursuant to the third paragraph of this section are to be retained for no less than one year.

§ 137. Security or emergency considerations

Where security or emergency considerations so indicate, the Ministry of Justice may decide that any person letting a foreign national stay overnight in his or her premises shall give notification thereof to the police, cf. § 45 first paragraph (a) of the Act. This measure may be implemented for the whole of the realm or for a specified police district. The duty to give notification shall not apply in the case of any Nordic national.

138. Master of any ship or commander of any aircraft

The master of any ship or the commander of any aircraft which is coming from or going abroad shall on arrival and departure give the police on request a list of the passengers including any stowaways and crew, cf. § 45 first paragraph (b) of the Act. Such list shall contain the same information as the passenger list, cf. § 45 second paragraph of the Act. The master of any ship shall give the police the General Declaration, the passenger list and the list of the crew in accordance with the IMO FAL forms which are at any time approved by the Norwegian authorities.

The police may in agreement with the customs authorities decide that the master shall deliver the list to the customs authorities, who forward it to the police.

§ 139. Employer

Any person taking any foreign national with the exception of any Nordic national into his or her service or giving any such foreign national paid work shall notify the police of this before the work commences, cf. § 45 first paragraph (c) of the Act.

Notification shall be given to the police in the district in which the foreign national has his or her fixed place of abode. Such notification shall specify the foreign national's name, date of birth, address and nationality and provide information about the work.

The police check whether the foreign national has the necessary leave to work.

§ 140. Local employment offices

Any local employment office shall notify the police of any foreign national with the exception of any Nordic national who applies for or receives work, cf. § 45 first paragraph (d) of the Act.

Such notification shall be given to the police in the district in which the foreign national has his or her fixed place of abode on the day the person concerned applied for or was given work. The notification shall specify the foreign national's name, date of birth, address and nationality, and provide information about the work applied for or given.

The police check whether the foreign national has the necessary leave to work.

§ 141. The Population Registry

The Population Registry shall notify the police of any foreign nationals whose name is entered upon or removed from the register, cf. § 45 first paragraph (e) of the Act. Such notification shall be given both for moving within the borders of the realm and where any foreign national moves into or out of the realm.

Notification shall be given to the police both in the previous and in the new district of residence. It shall specify the foreign national's name, date of birth, address and nationality.

The police investigate whether the information in the notification agrees with the information the police have, and whether the foreign national has the necessary leave.

§ 142. Educational institutions

Where the police so request, any educational institution shall give the police a list of any foreign pupils or students, cf. § 45 first paragraph (f) of the Act. Such list shall specify any foreign national's name, date of birth, address and nationality, cf. § 45 second paragraph of the Act.

§ 143 Other public authorities

Any public authority shall on request give the immigration authorities for use in any case under the Act information concerning any foreign national's name and address notwithstanding the obligation of confidentiality in § 8-8 of Act No. 81 of 13 December 1991

concerning Social Services etc. and § 6-7 of Act No. 100 of 17 July 1992 concerning Child Welfare Services, cf. § 45 first paragraph (g) of the Act.

Transport companies' liability for expenses, etc., cf. § 46 third paragraph and § 59 of the Act

§ 144. Transport companies' liability for expenses, etc.

Where any foreign national who has come by ship or aircraft is rejected pursuant to § 27, § 28 or § 57 of the Act, the owner or hirer of the ship, and on his or her behalf its master, commander or agent in the realm, is obliged to take the foreign national on board again or otherwise to take the foreign national out of the realm or to cover any expenses incurred by the public purse in connection with the conducting of the foreign national out of the realm, cf. § 46 third paragraph of the Act.

Likewise there is an obligation to take on board any escort and to cover the costs of escorting the foreign national out of the realm where the police find this necessary, cf. § 46 third paragraph of the Act. The assessment of the need for any escort is undertaken pursuant to the provisions of § 130. The transporter shall cover any expenses connected with the escort including the costs of travel, food, accommodation, pay and overtime, if any.

Liability pursuant to the first and second paragraphs of this section applies when any decision to reject an asylum-seeker may be implemented within the time limits mentioned in § 119. Otherwise liability only applies where any rejection order may be implemented within the time limit in § 119 second paragraph.

The Directorate of Immigration may issue further provisions concerning the covering of expenses pursuant to this section.

Diplomats, etc., cf. § 48 second paragraph of the Act, § 6 third paragraph, § 23 third paragraph and § 25 first paragraph

§ 145. Work and residence for diplomats etc. and any foreign national who is in their private service, cf. Chapters 1 and 2

Subject to such limitations as are recognised in international law or which follow from any agreement with any foreign state, any foreign national connected with diplomatic or paid consular missions (representations) in the realm, any foreign national employed by inter-state organisations and any foreign national commissioned to do work for inter-state organisations or for bodies acting under convention are exempt from the requirements of § 6 and § 7 concerning leave to work or leave to reside. It is a condition that the person concerned has been announced to and accepted by the Ministry of Foreign Affairs, or any other Norwegian authority, as the case may be. Leave to do other work in addition to this employment is not granted.

The provisions of the first paragraph also apply to any foreign national who is a member of the ancillary staff of any diplomatic or consular mission or in the private service of any such foreign national as is mentioned in the first paragraph of this section.

§ 146. Work and residence for the spouse or cohabitant or any child of any such foreign national as is mentioned in § 145, cf. Chapters 1 and 2

The spouse or cohabitant or any dependent child of any such foreign national as is mentioned in § 145 first paragraph is exempt from the requirement of § 7 concerning leave to reside where the person concerned has been announced to and accepted by the Ministry of Foreign Affairs, or any other Norwegian authority, as the case may be.

Leave to work may be granted in accordance with the following rules:

- (1) The conditions in § 2 first paragraph (1) and (2) and third paragraph apply. For any business activity leave must have been obtained from the relevant authority in accordance with any other legislation. The work permit shall be linked to a specific job and a specific place of work.
- (2) The provisions of § 10 to § 17 apply with the following exceptions and amplifications:
 - (a) an application may be submitted from the realm, cf. § 10,
 - (b) documentation of status, by declaration from the Ministry of Foreign Affairs, must be produced in connection with the application, cf. § 11,
 - (c) where there is no doubt that the conditions are satisfied, the police may grant the application, cf. § 13,
 - (d) a work permit is not granted beyond the duration of the principal person's employment in the mission or organisation, cf. § 15.
- (3) The permit is restricted and does not constitute a basis for a settlement permit.

The spouse or cohabitant and any dependent child of any foreign national who is employed in an inter-state organisation, or who is commissioned to do work for an inter-state organisation or for a body acting under convention, shall, insofar as such person is to reside in the realm for more than three months from the date of entry, no later than one week after entry report for registration to the police in the district of residence.

The spouse or cohabitant, cf. § 23 first paragraph (a) and (b), or any child, cf. § 23 first paragraph (c) and (e), of any such foreign national as is mentioned in § 145 second paragraph may be given a residence permit or a work permit in pursuance of § 8 second paragraph of the Act when strong humanitarian considerations so indicate. It is a prerequisite that subsistence and housing are ensured pursuant to the provisions of § 25 and § 20. It is a prerequisite for any work permit that the conditions of the second paragraph (1) of this section are satisfied. The permit does not constitute a basis for a settlement permit and is not granted beyond the duration of the principal person's employment.

§ 147. Border-crossing and border control, cf. Chapter 4

The provisions of § 82 relating to the duty to report when crossing the border do not apply to such military personnel as specified in § 148 second and third paragraphs coming in any

military aircraft belonging to a member state of NATO to any Norwegian military airfield. The flight must have been cleared in accordance with the Rules of 1 April 1965 concerning access to Norwegian airspace for military aircraft belonging to any other NATO country in time of peace.

The provisions of § 85 concerning entry and exit at an approved border crossing do not apply to any such foreign national who is specified in § 148 second and third paragraphs and who comes to or travels from the realm via any Norwegian military airfield in any military aircraft belonging to a member state of NATO.

The duty to fill in an entry card pursuant to § 89 does not apply to any such foreign national as is mentioned in § 145 first paragraph and § 146 first paragraph, where the principal person can show an identity card issued by the Ministry of Foreign Affairs.

§ 148. Passport, cf. Chapter 4

Instead of a passport, cf. § 94, a valid identity document issued by the relevant international organisation to any such person as follows may be accepted:

- (a) any representative of the United Nations (UN),
- (b) any official permanently employed by the UN or by any specialised agency of the United Nations,
- (c) any judge of the International Court of Justice or any official of the secretariat of this court,
- (d) any other person who is acting on behalf of any specialised agency of the United Nations or on behalf of the Court of Justice,
- (e) any official of or any other representative of the European Community (EC).

For any military personnel belonging to a member state of NATO, including any military personnel attached to an allied headquarters on service, a personal identity card with an individual or collective travel order may be accepted instead of a passport. The identity card must have been issued by the sender state and contain information specifying name, date of birth, rank, and any service number and bear a photograph of the holder. The travel order must have been issued by the relevant authority in the sender state or by NATO and confirm the individual's or group's status as a member or members of a force and the journey for which the order has been given.

For a member of any American, Canadian and British military forces stationed in Europe the following identity documents may be accepted instead of a passport:

- (a) American US Armed Forces Identification Card or Armed Forces of the United States Card, both endorsed "Geneva Conventions Identification Card", issued by the Department of the Air Force, or the Department of the Navy, or the Department of the Army or the Department of the Marine Corps together with a separate Travel Order or Movement Order from the relevant military unit,
- (b) Canadian Identification Card issued by the Department of National Defence together with Canadian Armed Services Leave Form from the relevant military unit,
- (c) British Identity Card issued by the relevant armed service together with a separate travel order or movement order from the relevant military unit.

§ 149. Visa, cf. Chapter 4

Any such foreign national as is mentioned in § 145 first paragraph and § 146 first paragraph and any foreign national coming to the realm on official business must have a visa if there is a visa requirement between Norway and the state the foreign national represents and special exceptions have not otherwise been made. A list of diplomats and officials who are exempt from the visa requirement accompanies these Regulations as Appendix 8.

Any such foreign national as is mentioned in the first paragraph of this section may be given a visa by the Ministry of Foreign Affairs or any foreign service mission in accordance with further guidelines laid down by the Directorate of Immigration in consultation with the Ministry of Foreign Affairs.

Exempt from the visa requirement is any such foreign national as is mentioned in § 148 first and second paragraphs or the spouse, cohabitant or any dependent child of any such person or any such foreign national as is mentioned in § 148 third paragraph. Exempt from any visa requirement are also any military personnel who shall be stationed, or participate in exercises, on Norwegian territory in pursuance of the Partnership for Peace Agreement.

§ 150. Rejection and expulsion, cf. Chapter 5

Any decision to reject any foreign national holding a diplomatic passport is made by the Directorate of Immigration in consultation with the Ministry of Foreign Affairs.

The provisions of the Act relating to expulsion do not apply to any foreign national who has or has been accorded diplomatic immunity.

Any decision that any diplomatic or consular official is persona non grata or that any other member of the diplomatic mission's staff or of the consular staff is not acceptable is made by the Ministry of Foreign Affairs. Any decision to expel any other foreign national holding a diplomatic passport is made by the Directorate of Immigration in consultation with the Ministry of Foreign Affairs.

Continental shelf, cf. § 49 first and second paragraphs of the Act

§ 151. Movable installations

Any foreign national intending to take employment on any movable installation used on the Norwegian sector of the continental shelf is exempt from the requirements of § 6 and § 7 concerning leave to work and leave to reside insofar as employment and residence on the installation are concerned.

Any movable installation which is connected to any permanent installation, or any movable installation which has gone over to a permanent phase of production is deemed to be a permanent installation, cf. § 152.

Before any such foreign national enters the realm, the employer shall give notification of the employment on the prescribed form to the police authority which is responsible for police matters on the area of the continental shelf concerned. For any such foreign national requiring a visa the provisions of § 106 et seq. apply. Before employment is commenced and not later than one week after entry the foreign national must report for registration to the police authority as mentioned.

Any such foreign nationals as is mentioned in the first paragraph of this section may on application be granted leave to reside on Norwegian land territory for up to six months at a time but not beyond the duration of the employment. Such a permit does not constitute a basis for a settlement permit.

§ 152. Permanent installations

Any foreign national intending to take employment on any Norwegian or foreign permanent installation used on the Norwegian sector of the continental shelf or on any permanent installation connected with the Norwegian sector of the continental shelf must have a work permit, cf. § 6. The same applies to any foreign national intending to take work on any such installation as is mentioned in § 151 second paragraph.

A work permit may be granted to any such applicant as

- (a) is mentioned in § 3 second paragraph (a). The permit may be renewed. It does not constitute a basis for a settlement permit, or
- (b) is mentioned in § 5 third paragraph (b), when the employment is of up to three months' duration.

The permit shall be linked to a specific job and a specific place of work. It is a prerequisite that the conditions pursuant to § 2 first and third paragraphs are satisfied. The provisions of § 10 to § 17 apply as far as they are relevant and in such manner that the application is delivered to the police authority which is responsible for police matters on the area of the continental shelf concerned.

When any foreign national who is exempt from the requirement concerning leave to work pursuant to § 8 second paragraph (c) is called in, notification pursuant to § 52 shall be given to such police authority as is mentioned in the third paragraph of this section.

Any employer in the realm may likewise apply for leave to take on a fixed number of foreign employees for an assignment of limited duration (collective work permit). The provisions of § 26 et seq. apply but in such manner that the application is submitted to such authority as the Directorate of Labour has laid down.

Any permit granted to any such applicant as is mentioned in the second paragraph (a) and the fifth paragraph of this section confers the right to reside on Norwegian land territory.

§ 153. Passport examination and border control

The police have at any time access to any such installation as is mentioned in § 151 and § 152 to carry out passport examination and border control.

Where consent is given for entry or exit elsewhere than at an approved border crossing in connection with such work as is mentioned in § 151 and § 152, cf. § 85 third paragraph, it shall be laid down as a condition that any expenses for transport and subsistence in connection with such examination and control as are mentioned in the first paragraph of this section are to be covered by the employer.

§ 154. Entry and exit, cf. Chapter 4

The provisions concerning entry and exit in Chapter 4 also apply to any foreign national travelling between any installation or plant on the continental shelf and Norwegian land territory.

Jan Mayen, cf. § 49 third paragraph of the Act

§ 155. The application of the Act and of the Regulations to Jan Mayen

The provisions of the Act and these Regulations apply to any foreign national's access to and residence on Jan Mayen as far as they are relevant with the exceptions and amplifications which follow from the Regulations issued pursuant to Act No. 2 of 27 February 1930 concerning Jan Mayen, cf. § 49 third paragraph of the Act.

Svalbard, cf. § 49 fourth paragraph of the Act

§ 156. The application of the Act and of the Regulations to Svalbard

The Act does not apply to Svalbard. Provisions concerning the control of any foreign national coming from Svalbard may be issued, cf. § 49 fourth paragraph of the Act.

The provisions of Chapter 4 of the Act and of these Regulations relating to entry and exit are applied in respect of any foreign national coming from Svalbard to another part of the realm.

For any foreign travellers on any tourist ship or aircraft, who after a stay in another part of the realm travel to Svalbard and subsequently return therefrom, the Directorate of Immigration may on application from the company concerned make exceptions to the provision of the second paragraph of this section.

Norwegian ships in foreign trade, cf. § 49 fifth paragraph and § 59 of the Act

§ 157. Norwegian ships engaged in foreign trade

The Act does not apply to any Norwegian ship engaged in foreign trade, cf. § 49 fifth paragraph of the Act.

Any Norwegian fishing vessel delivering its catch in a Norwegian port is deemed not to be engaged in foreign trade. Otherwise any Norwegian ship is deemed not to be engaged in foreign trade when it takes on board cargo or passengers in a Norwegian port and delivers the cargo or disembarks passengers in a Norwegian port. Nevertheless this does not apply to any ship included in the Regulations concerning an extended trading area for cargo ships registered in the Norwegian International Register of Shipping (NIS) laid down by Royal Decree of 11 August 1989.

The provisions of § 114 to § 117 and of § 138 apply to any Norwegian ship engaged in foreign trade calling at any Norwegian port.

CHAPTER 8. SPECIAL PROVISIONS FOR FOREIGN NATIONALS WHO COME UNDER THE AGREEMENT CONCERNING THE EUROPEAN ECONOMIC CO-OPERATION AREA (EEA AGREEMENT)

Leave to reside, cf. § 50 of the Act

§ 158. Requirement concerning leave to reside; exemption and duty to report

Any foreign national who is included under the EEA Agreement may without any permit enter the realm and take up residence or work here for a period not exceeding three months, or not exceeding six months if the foreign national is seeking employment, cf. § 50 first paragraph of the Act.

Any foreign national who is included under the EEA Agreement and who takes up residence or work in the realm beyond any such period of time as mentioned in the first paragraph of this section must have a residence permit, cf. § 50 second paragraph of the Act. Any foreign national who is working in the realm and who as a general rule returns to his or her place of abode in the territory of any other EEA state not less than once a week is nevertheless exempt from the requirement concerning leave to reside.

Any foreign national who is exempt from the requirement concerning leave to reside in pursuance of the second paragraph of this section shall no later than one week after the work has been commenced report to the police in the district of residence. Reporting is effected by appearing in person. Such foreign national must present the travel document which he or she used on entry and give all necessary information.

Application for the first issue of a residence permit may be made after entry, cf. § 50 third paragraph of the Act.

§ 159. Power of decision

Any decision concerning leave to reside is made by the Directorate of Immigration, cf. § 50 fourth paragraph of the Act.

Where there is no doubt that the conditions are satisfied, the police may grant any application pursuant to § 51, § 52 and § 53 of the Act.

Residence permit pursuant to § 51 of the Act

§ 160. The right to a residence permit

Any foreign national who is included under the EEA Agreement has on application the right to a residence permit when the travel document used by the applicant on entry is presented and the applicant satisfies the conditions laid down in § 161, § 162, § 163 or § 164 unless there are any circumstances that will give grounds for refusing the foreign national entry to the realm, residence or work in accordance with any other provision of the Act, cf. § 51 third paragraph of the Act.

§ 161. Residence permit for an employed person

It is a condition for the issue of a residence permit pursuant to § 51 first paragraph (a) of the Act that the applicant presents confirmation from an employer of appointment to a position which shall normally be equivalent to no less than a half-time post in the occupation concerned. If it is not a matter of full-time work, the applicant must provide proof that the employment is real and of a certain extent. In the assessment account shall be taken of whether the pay is adequate for the applicant's subsistence.

§ 162. Residence permit for any foreign national who is to be self-employed or provide or receive services

It is a condition for the issue of a residence permit pursuant to § 51 first paragraph (b) of the Act that the applicant shall

- (a) be self-employed in the realm. An exact description of the activity must be presented and there must be documentary evidence that any necessary permit has been or will be issued in accordance with any other legislation. It is a prerequisite that the self-employment is intended to be permanent,
- (b) provide services in the realm. Information must be presented concerning the nature and duration of the provision of services. It is a prerequisite that the provision of services shall be the main purpose of the stay, that such provision shall be conducted with a view to deriving income and that it shall be of limited duration, or

- (c) receive services in the realm. Information must be presented concerning the nature and duration of the receipt of services. It is a prerequisite that the receipt of services shall be the main purpose of the stay, that the applicant shall pay for such receipt of services and that it shall be of limited duration.

§ 163. Residence permit for any foreign national in receipt of permanent periodic benefits or has his own means

It is a condition for the issue of a residence permit pursuant to § 51 first paragraph (c) of the Act that the applicant is ensured subsistence through permanent periodic benefits that must normally be equivalent to no less than the full minimum National Insurance pension for a single person with special supplement or has his own means at the same level, and that the applicant is covered by sickness insurance against all risks that are included under Norwegian legislation.

The Directorate of Immigration may issue further guidelines concerning what is deemed to fall under permanent periodic benefits and concerning the requirement for documentary evidence of subsistence and sickness insurance.

§ 164. Residence permit for any person seeking education

It is a condition for the issue of a residence permit pursuant to § 51 first paragraph (d) of the Act that the applicant provides documentary evidence of having been admitted to a recognised educational institution, and that the purpose of the stay is mainly to receive a vocationally oriented education. A plan for this education shall be submitted. The applicant must be ensured subsistence for the period of time to which the application applies and must make a declaration concerning the manner in which subsistence is ensured. It is a prerequisite that the applicant is included under health insurance covering all risks that are included under Norwegian legislation.

The Directorate of Immigration may in consultation with the Ministry of the Church, Education and Research issue guidelines concerning which educational institutions and courses of study are recognised. The Directorate of Immigration may also issue guidelines concerning what requirements are to be imposed in respect of the declaration relating to ensured subsistence and in respect of the documentary evidence relating to health insurance.

Residence permit for family members, cf. § 52 of the Act

§ 165. Residence permits for members of the family of any such foreign national as is mentioned in § 161 to § 164

Any such family member as is mentioned in § 166 of any foreign national who has or is granted lawful residence in the realm in pursuance of § 51 first paragraph of the Act is on application given a residence permit when the travel document used by the applicant on entry is presented unless there are circumstances that will give grounds for refusing the foreign

national entry to the realm, residence or work in accordance with any other provision of the Act. A certificate from the relevant authority in the country of origin or the country of most recent residence must be presented as confirmation of the kinship.

For any member of the family of any such foreign national as is mentioned in § 161 it is in addition to the conditions in the first paragraph of this section a condition that the foreign national has housing at his or her disposal. For any member of the family of any such foreign national as is mentioned in § 163 and § 164 it is in addition to the conditions in the first paragraph of this section a condition that subsistence is ensured and that the family member is included under health insurance covering all risks that are included under Norwegian legislation.

If the conditions provided by the first paragraph of this section are satisfied and subsistence is ensured, a residence permit may also be given to other family members etc. than any such member as is mentioned in § 166 where they are supported by the foreign national or belong to the household of the foreign national in the country of origin and provide documentary evidence thereof. A requirement may be imposed that the foreign national has housing at his or her disposal and that the applicant is included under health insurance covering all risks that are included under Norwegian legislation.

The Directorate may issue guidelines concerning the requirement for documentary evidence of subsistence, health insurance and attachment to the household.

The provisions of this section also apply to any such family member as is mentioned in § 166 of any foreign national holding a settlement permit, cf. §12 first paragraph of the Act, and falling under § 161, §162, § 163 or § 164.

§ 166. Those who are family members

Those counted as members of the family of any foreign national falling under § 51 first paragraph of the Act or § 165 fifth paragraph of these Regulations are:

- (a) spouse or cohabitant as mentioned in § 23 first paragraph (b),
- (b) a relative in descending line of any foreign national falling under § 161 or § 162 and/or the foreign national's spouse, where the relative is under the age of 21 years or is supported by them,
- (c) a relative in descending line of any foreign national falling under § 163 or § 164 and/or the foreign national's spouse, when the relative is supported by them,
- (d) a relative in ascending line of any foreign national falling under § 161, § 162 or § 163 or the foreign national's spouse, when the relative is supported by them.

Continued residence after termination of occupational activity in Norway, cf. § 53 of the Act and Item 4 (Regulation (EEC) No. 1251/70 of the Commission) of Appendix V to the EEA Agreement

§ 167. Article 1 of Regulation (EEC) No. 1251/70 of the Commission

The provisions of this Regulation (§ 167 to § 174 of these Regulations) shall apply to nationals of an EEA State who have worked as employed persons in the territory of another EEA State and to members of their families, as defined in Article 10 of Council Regulation (EEC) No. 1612/68 on freedom of movement for workers within the Community, cf. Act No. 112 of 27 November 1992 concerning the implementation in Norwegian law of Item 2 of Appendix V to the EEA Agreement (Council Regulation (EEA) No. 1612/68 and No. 312/76) on freedom of movement for workers etc. within the EEA.

§ 168. Article 2 of Regulation (EEC) No. 1251/70 of the Commission

1. The following shall have the right to remain permanently in the territory of an EEA State:
 - (a) a worker who, at the time of termination of his activity, has reached the age laid down by the law of the State concerned for entitlement to an old-age pension and who has been employed in that State for at least the last twelve months and has resided there continuously for more than three years,
 - (b) a worker who, having resided continuously in the territory of that State for more than two years, ceases to work there as an employed person as a result of permanent incapacity to work. If such incapacity is the result of an accident at work or an occupational disease entitling him to a pension for which an institution of that State is entirely or partially responsible, no condition shall be imposed as to length of residence,
 - (c) a worker who, after three years' continuous employment and residence in the territory of that State, works as an employed person in the territory of another EEA State, while retaining his residence in the territory of the first State, to which he returns, as a rule, each day or at least once a week.

Periods of employment completed in this way in the territory of the other EEA State shall, for the purposes of entitlement to the rights referred to in subparagraphs (a) and (b), be considered as having been completed in the territory of the State of residence.

2. The conditions as to length of residence and employment laid down in paragraph 1 (a) and the condition as to length of residence laid down in paragraph 1 (b) shall not apply if the worker's spouse is a national of the EEA State concerned or has lost the nationality of that State by marriage to that worker.

§ 169. Article 3 of Regulation (EEC) No. 1251/70 of the Commission

1. The members of a worker's family referred to in Article 1 of this Regulation (§ 167 of these Regulations) who are residing with him in the territory of an EEA State shall be entitled to remain there permanently if the worker has acquired the right to remain in the territory of that State in accordance with Article 2 (§ 168 of these Regulations), and to do so even after his death.
2. If, however, the worker dies during his working life and before having acquired the right to remain in the territory of the State concerned, members of his family shall be entitled to remain there permanently on condition that:

- the worker, on the date of his decease, had resided continuously in its territory for at least 2 years,
- his death resulted from an accident at work or an occupational disease, or
- the surviving spouse is a national of the State of residence or lost the nationality of that State by marriage to that worker.

§ 170. Article 4 of Regulation (EEC) No. 1251/70 of the Commission

1. Continuity of residence as provided for in Articles 2 (§ 168 of these Regulations) (1) and 3 (§ 169 of these Regulations) (2) may be attested by any means of proof in use in the country of residence. It shall not be affected by temporary absences not exceeding a total of three months per year, nor by longer absences due to compliance with the obligations of military service.
2. Periods of involuntary unemployment, duly recorded by the competent employment office, and absences due to illness or accident shall be considered as periods of employment within the meaning of Article 2 (§ 168 of these Regulations) (1).

§ 171. Article 5 of Regulation (EEC) No. 1251/70 of the Commission

1. The person entitled to the right to remain shall be allowed to exercise it within two years from the time of becoming entitled to such right pursuant to Article 2 (§ 168 of these Regulations) (1) (a) and (b) and Article 3 (§ 169 of these Regulations). During such period he may leave the territory of the EEA State without adversely affecting such right.
2. No formality shall be required on the part of the person concerned in respect of the exercise of the right to remain.

§ 172. Article 6 of Regulation (EEC) No. 1251/70 of the Commission

1. Persons coming under the provisions of this Regulation (§ 167 to § 174 of these Regulations) shall be entitled to a residence permit which:
 - (a) shall be issued and renewed free of charge or on payment of a sum not exceeding the dues and taxes payable by nationals for the issue or renewal of identity documents,
 - (b) must be valid throughout the territory of the EEA State issuing it,
 - (c) must be valid for at least five years and be renewable automatically.
2. Periods of non-residence not exceeding six consecutive months shall not affect the validity of the residence permit.

§ 173. Article 7 of Regulation (EEC) No. 1251/70 of the Commission

The right to equality of treatment, established by Council Regulation (EEC) No. 1612/68, cf. Act No. 112 of 27 November 1992 concerning the implementation in Norwegian law of Item 2 of Appendix V to the EEA Agreement (Council Regulation (EEA) No. 1612/68 and

No. 312/76) on freedom of movement for workers etc. within the EEA, shall apply also to persons coming under the provisions of this Regulation (§ 167 to § 174 of these Regulations).

§ 174. Article 8 of Regulation (EEC) No. 1251/70 of the Commission

1. This Regulation (§ 167 to § 174 of these Regulations) shall not affect any provisions laid down by law, regulation or administrative action of one EEA State which would be more favourable to nationals of other EEA States.

2. The EEA States shall facilitate re-admission to their territories of workers who have left those territories after having resided there permanently for a long period and having been employed there and who wish to return there when they have reached retirement age or are permanently incapacitated for work.

§ 175. Continued residence for persons who have been self-employed in the realm

The provisions of § 168 to § 174 apply correspondingly to persons who have been self-employed in the realm, cf. § 162 first paragraph (a), and the members of their family, cf. § 165 and § 166. Such periods of non-residence as are mentioned in § 172 (2) may nevertheless exceed six consecutive months if such absence is due to compliance with the obligations of military service.

§ 176. (Repealed 1 January 2000)

The content of residence permits, cf. § 54 of the Act

§ 177. Duration of the permit

On the first occasion a residence permit pursuant to § 51 of the Act is issued for five years unless the provisions of the second to fifth paragraphs of this section apply.

When the employment has a duration of from three months to one year, the permit for any such foreign national as is mentioned in § 161 is given corresponding duration.

A permit for any such foreign national as is mentioned in § 162 first paragraph (b) or (c) is given the same duration as the provision of services or the receipt of services.

The duration of a permit issued on the first occasion to any such foreign national as is mentioned in § 163 may be limited to two years if the applicant fails to show that the conditions for the permit will be satisfied for five years.

A permit for any such foreign national as is mentioned in § 164 is issued for a period of time corresponding to the duration of the education, but not for more than one year.

On the first occasion a residence permit pursuant to § 52 of the Act is issued for a period corresponding to the principal person's leave, but its duration may not extend beyond the date of expiry of the principal person's leave.

On the first occasion a residence permit pursuant to § 53 of the Act is issued for five years.

§ 178. Content of the permit

The permit confers the right to take up residence and to take work or to be self-employed in the whole of the realm unless anything else is indicated by the permit or follows from Norwegian legislation. The permit does not constitute a basis for a settlement permit.

Any such foreign national as is mentioned in § 164 may only take work or be self-employed etc., cf. § 161 and § 162 first paragraph (a) and (b), to an extent not exceeding a half-time post.

The conditions and restrictions that have been imposed shall be apparent from the permit.

A permit for any foreign national requiring a visa who is included under the EEA Agreement confers entitlement to repeated entries into the realm within the period of time for which it is valid, cf. § 112 second paragraph.

Renewal of residence permits, cf. § 55 of the Act

§ 179. Renewal of leave

Leave to reside pursuant to § 51, § 52 or § 53 of the Act is renewable on application when the conditions continue to be satisfied, cf. § 55 first paragraph of the Act.

Renewed leave to reside is granted for five years unless the provisions of the third and fourth paragraphs of this section apply.

On renewal, leave is granted to any such applicant as is mentioned in § 161 for such period of time as has been applied for where the duration of previous leave and the period of time for which renewed leave has been applied for together will not exceed one year. If any such applicant as is mentioned in § 161 has been involuntarily unemployed for more than the last twelve consecutive months, leave is granted for one year on first renewal. If on the expiry of this leave the applicant is still unemployed, renewed leave by virtue of being an employed person is not granted.

The provisions of § 177 third, fifth and sixth paragraphs apply correspondingly.

The date of expiry of the previous leave provides the basis for calculating the duration of renewed leave.

Otherwise the provisions of § 178 concerning the content of the permit apply correspondingly.

§ 180. Power of decision

Any decision concerning renewal of leave to reside is made by the Directorate of Immigration, cf. § 50 fourth paragraph of the Act.

Where there is no doubt that the conditions are satisfied, the police may grant any application for renewal of leave pursuant to § 51, § 52 and § 53 of the Act.

Revocation of residence permits, cf. § 56 of the Act

§ 181. Revocation

A residence permit issued to any foreign national who is included under the EEA Agreement may be revoked if there are such circumstances as are mentioned in § 13 of the Act with the limitations that follow from § 56 first paragraph of the Act.

A permit issued for the first time to any such foreign national as is mentioned in § 161, § 162 and § 163 may furthermore be revoked if the foreign national has resided outside the realm for a continuous period of more than six months provided that such absence is not due to compliance with the obligations of military service.

§ 50 second to fourth paragraphs applies correspondingly.

Rejection and expulsion pursuant to § 57 and § 58 of the Act

§ 182. Rejection and expulsion out of consideration for public order or security

Any foreign national who is included under the EEA Agreement may be rejected or expelled when consideration for public order or security makes this necessary, cf. § 57 first paragraph (c) of the Act and § 58 first paragraph of the Act.

Rejection or expulsion out of consideration for public order or security may take place *inter alia* when the foreign national

- (a) is dependent on narcotic drugs or any other toxic substance, and the addiction arises before the foreign national has been granted a residence permit for the first time, or
- (b) is suffering from severe mental disturbance, any overt psychosis with states of excitability, delusions or hallucinations, and the condition arises before the foreign national has been granted a residence permit for the first time.

Rejection or expulsion out of consideration for public order or security shall be based exclusively on grounds relating to the foreign national's personal conduct and may only take place if there is a possibility of sanctions against a Norwegian national for equivalent conduct.

Where in pursuance of this section or of § 58 first paragraph of the Act, cf. § 57 first paragraph (c) of the Act, consideration is being given to the rejection or expulsion of any foreign national who has applied for leave for the first time, the application shall be decided as soon as possible and not later than six months after the application was submitted. The applicant has the right to reside in the realm until the application has been decided with no further right of appeal.

§ 183. Power of decision

Any decision to reject in pursuance of § 57 first paragraph (a) and (b) is made by the chief of police or any such person as the chief of police so empowers, cf. § 57 second paragraph of the Act.

Any decision to reject in pursuance of § 57 first paragraph (c) and (d) is made by the Directorate of Immigration, cf. § 57 second paragraph of the Act. Where there is no doubt that there are such circumstances as are mentioned in § 58 first paragraph of the Act or § 182 of these Regulations, any decision to reject is nevertheless made by the chief of police or any such person as the chief of police so empowers.

If administrative proceedings for rejection in pursuance of § 57 first paragraph of the Act have not been instituted within seven days, any foreign national who does not have a residence permit may be rejected by decision of the Directorate of Immigration in pursuance of the provisions of § 57 first paragraph (b), (c) and (d) of the Act, cf. § 57 third paragraph of the Act. Where there is no doubt that the conditions in § 57 first paragraph (b) are satisfied, any decision to reject is nevertheless made by the chief of police or any such person as the chief of police so empowers.

Any decision to expel in pursuance of § 58 of the Act is made by the Directorate of Immigration, cf. § 58 sixth paragraph of the Act.

CHAPTER 9. REGULATIONS, COMMENCEMENT ETC.

Miscellaneous provisions, cf. § 59 of the Act

§ 184. Standard documents

Any standard document for use under these Regulations, including any form, label, stamp, refugee's travel document, immigrant's passport, registration certificate, etc. is designed by the Directorate of Immigration.

§ 185. Guidelines

The Directorate of Immigration may issue guidelines concerning procedure to the police and any other public authority, including any foreign service mission, performing tasks in pursuance of the Act and these Regulations.

The Directorate of Labour may issue guidelines to the labour market service concerning procedure in pursuance of the Act and these Regulations.

§ 186. Register and registration

The Directorate of Immigration keeps a national register of

- (a) applications and decisions under the Act and these Regulations,
- (b) asylum applicants who are staying at a reception centre, cf. § 59 and § 60. The register shall also include any other foreign national staying at a reception centre,
- (c) issued, renewed and lost refugee's travel documents and immigrant's passports, cf. § 65 et seq.,
- (d) expelled foreign nationals, cf. § 121.

Guidelines with respect to the registration of personal data, notifications, applications, decisions, etc. are issued by the Directorate of Immigration. Information in the register shall be made available to higher authority.

Insofar as it is not unlawful, information in the register shall also be made available on request to the police, the customs authorities, any other public authority concerned and the police authorities in the other Nordic countries.

§ 187. Foreign nationals' access to any prohibited area

These Regulations make no amendment to current provisions concerning foreign nationals' access to any prohibited area, cf. Act No. 3 of 18 August 1914 concerning defence secrets and Act No. 1 of 7 March 1940 concerning access to certain areas.

§ 188. Passage across the Norwegian-Russian border

For passage across the Norwegian-Russian border the provisions of § 3 of Act No. 2 of 14 July 1950 concerning various measures for the implementation of the marking and surveillance of the national border, cf. Royal Decree of 7 November 1950, apply beside these Regulations.

Commencement and transitional provision, cf. § 60 of the Act

§ 189. Commencement and transitional provision

With the exception of § 93 these Regulations come into force on 1 January 1991.

From the same date any Regulations and provisions issued in pursuance of the Act of 27 July 1956 concerning the Admittance of Aliens to the Kingdom, etc. are repealed.

Any permit issued before these Regulations come into force is valid until the expiry of its period of validity. The same applies to any refugee's travel document and alien's passport.

Any application or appeal that has not been decided when these Regulations come into force shall be dealt with and decided pursuant to the provisions of the Act and these Regulations.