

Act no. 1 of 29 May 1964 relating to Personal Names. (As amended by Act no. 1 of 16 June 1967, Act no. 7 of 7 February 1969, Act no. 54 of 19 June 1969, and Act no. 39 of 8 June 1979.)

Chapter I

Surnames. Surnames of children

51

If the parents have the same surname, that surname is given to the child.

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If the parents do not have the same surname, they or the person with parental authority can choose whether to give the child the father's ~~of~~ the mother's surname. The name chosen must be notified to the National Population Register at the latest when the child is six months old. If the child reaches the age of six months and no such notification has been received, it is given the mother's surname.

Surnames of adopted children

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Adopted children are given their adoptive parent's surname. If a married couple who do not have the same surname adopt a child, the licence must state whether the child is to be given its adoptive father's or its adoptive mother's surname. If they fail to agree on which surname the child is to be given, it shall receive its adoptive mother's surname.

The adoption licence can also establish that the adopted child shall retain its own surname.

Surnames of spouses

64

Persons intending to marry may choose whether to take the name of one of them as their common surname. Each of them can also choose to retain the surnames they had before marriage.

A name acquired in a previous marriage may nevertheless not be chosen as their common surname.

The official solemnizing the marriage must be notified in advance of the chosen name.

Surnames by licence

65

The Ministry may on application issue licences for surnames to be changed or for their spelling to be altered.

If, pursuant to the provisions in §9a, the matter can be settled by notification to the National Population Register, the Ministry can refuse to deal with it.

66

The following should not normally be permitted:

- 1. foreign-sounding names or names with foreign spellings,
- 2. names which are in use as first names and are not originally surnames.
- 3. historical names, names no longer in use, or

foreign names which are generally known in the realm,

4. names which can seem offensive or be disadvantageous to those whose names they are.

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If a name which is applied for is among the more usual names, a licence shall be granted unless there are special reasons for refusing it.

If a name which is applied for is not among the more usual names, a licence may only be granted with the consent of those whose surname it already is. Consent on behalf of children under the age of 18 is given by the person or persons with parental authority.

For the purpose of these rules, names are considered to be the same when they are so similar in pronunciation or spelling that they can easily be confused. If a name consists of two or more words, each word is considered a separate name.

A licence shall be refused when the name applied for bears such similarity as mentioned in the third paragraph of §7 to generally known company names, trademarks, or other distinguishing names which are protected in the realm, or to generally known names of foundations or associations, pseudonyms or pen or stage-names, unusual farm names or other similar names, and it can be assumed that rightful interests will suffer if the applicant takes the name.

Regardless of the rules in §§6-8, licences may be granted in the following cases:

1. When a name is applied for which is or has been the surname of either parent or either adoptive parent, and was not acquired by marriage or by licence according to subsection 6 below.
2. When a step-child or foster-child applies for the stepfather's or stepmother's or foster-father's or foster-mother's surname, and he or she has consented, provided that the name was not acquired by marriage or by licence according

to subsection 6 below.

3. When a woman or man who is or has been married applies to get back the surname she or he had when unmarried, or a surname relinquished when she or he last married, and when spouses apply for the surname one of them had when unmarried.
4. When someone applies to use as surname the name of a farm or small holding owned by the applicant or either of his parents which has been in their possession for at least ten years, or the name of a farm or small holding farmed by the applicant or either of his parents, provided either that they hold the property in usufruct for life and have maintained that right for at least ten years, or that they have maintained that right for at least twenty years.
5. When the applicant alone or, prior to that, either of the applicant's parents or the applicant's spouse, have used a name as their surname since before 1 January 1947.
6. In other cases when a surname is applied for to which the applicant has special links, and the applicant shows that it is important to him to take the name.

Surnames by notification

§9a

Surnames may be changed by notifying the National Population Register:

1. When the name meets the conditions mentioned in §9, subsection 1. In connection with the parents' marriage, notification may be given to the official solemnizing the marriage.

2. When the name is the step-father's or step-mother's surname, provided that the name was not obtained by marriage or by licence according to §9 subsection 6 and the step-father or step-mother has consented.

3. When the name is of the kind mentioned in §9 subsection 3. Notification that one is taking back one's surname when unmarried or a surname relinquished when one last married may, in connection with a divorce or separation, also be given to the court or the County Governor and, in connection with a new marriage, to the official solemnizing the marriage, cf. §4.

4. When the name is among the more usual names and

is included in a list of such names drawn up by the Ministry.

5. In other cases when the Ministry decides that a surname may be changed by notification to the National Population Register in accordance with the provisions of this Act.

Permission is only given once to change a surname by notifying the National Population Register. Beyond that, a licence must be obtained from the Ministry.

Other ways of acquiring surnames

§10

A surname which a person acquires pursuant to §3 is also taken by his/her spouse, and by children, step-children, adoptive children and foster-children under eighteen years of age, provided they have his or her surname.

A surname which a person acquires by licence or by notification is only taken by those mentioned in the first paragraph if they are specifically mentioned in the licence or notification.

Those mentioned in the first paragraph may not be included in the licence or notification unless the spouse has consented for his/her part and children over twelve have consented for their part. The consent is required of anyone who has or shares parental authority and will not acquire the same surname by means of the licence or notification.

Chapter II

Loss of surnames

§§11-13

(Repealed by Act no. 39 of 8 June 1979)

Chapter III

First and middle names

§14

At the latest when a child reaches the age of six months, the person or persons with parental authority shall notify the population register in the municipality in which the child is registered as resident of the first name chosen for the child. Whoever baptises the child is responsible for

ensuring that such a notification is sent at the latest at the time of baptism.

§15

The following may not be chosen as first names:

1. names which may be disadvantageous to those whose names they are,
2. names which are or have been in use as surnames and are not originally first names. In special cases the Ministry may make exceptions to this prohibition.

§16

The following may be used as middle names:

1. the father's or mother's surname or the surname he or she had when unmarried and which was not acquired by marriage, provided the name is not to be the child's surname,
2. the father's or mother's first name with an ending which indicates the relationship,

3. an adoptive child's own former surname or the surname of the adoptive father or adoptive mother when he or she was unmarried and which was not acquired by marriage, provided the name is not to be the child's surname,
4. the surname which a married man or woman had before marrying, when it is not to be his or her surname.

Notifications of middle names according to the first paragraph shall in the case of subsections 1 and 2 be sent together with notifications of first names. In the case of subsection 3, the County Governor shall be notified before the adoption licence is granted, and in the case of subsection 4, the official solemnizing the marriage shall be notified at the latest at the time of the marriage. In other cases, notification may be sent to the National Population Register.

If someone wishes to take a middle name other than those mentioned in the first paragraph, the Ministry may issue a licence. However, the applicant must first show that he/she has a special link to the name, either by descent or for other reasons.

The Ministry may permit first or middle names to be changed, altered, or relinquished. The provisions in §15 relating to first names also apply here. The provisions in the first paragraph and the last sentence of the third paragraph of §16 relating to middle names also apply here.

When someone wishes to change, alter or relinquish a first name or middle name according to the first paragraph of §16 in connection with an adoption, the licence is issued by the County Governor.

The rules in §9a subsection 5 and the second paragraph of §9a also apply to first and middle names.

Chapter IV

Procedure for changing names, etc.

Withdrawal and court review of licences
relating to names

Notifications of changes of names or applications for licences relating to names on behalf of someone under the age of eighteen shall either be sent by

or sent with the consent of the person or persons with parental authority. If the notification or application relates to a child aged twelve or more, the child must also have consented. Licences may, however, be granted in special cases despite the absence of consent according to this paragraph.

§19

If the population register or the person officiating at a baptism or solemnizing a marriage or the County Governor refuses to accept a notification of a name or of a change or alteration or relinquishment of a name, or if someone whom an accepted notification concerns is of the opinion that it should have been rejected, the decision may be appealed to the Ministry.

§20

When a licence has been issued for the use of a name, this shall be announced at public expense in the Official Gazette of Norway. The Ministry may, however, omit publication in the case of first or middle names. The announcement of a licence to take a family name may also be omitted if there are special reasons for doing so.

When names are taken, changed or altered by notification, the Ministry may require an announcement. The Ministry may issue instructions as to how the announcement is to be made.

The Ministry may also issue regulations governing registration when names are taken, changed, altered or relinquished.

§21

The Ministry may on its own initiative withdraw a licence concerning a name when further information shows that it should not have been issued. This may not be done, however, more than three months after an announcement according to §20.

Otherwise, Chapter VI of the Public Administration Act applies to appeals against and reversals of decisions taken pursuant to this Act.

§22

Anyone maintaining that a licence or notification pursuant to this Act has infringed his/her right to a name must institute proceedings to maintain

that right within five years of the announcement of the licence or notification. The same applies after an announcement authorized by the second paragraph of §20.

Chapter V

Miscellaneous provisions

§23

No one may use a name to which he or she is not entitled according to this Act. Nor may anyone alter the spelling of a lawful name without authority in this Act.

§24

The King may enter into agreements with other countries concerning which rules governing rights to names in the respective countries shall apply to foreign nationals resident in the realm and to Norwegian nationals resident abroad, and concerning legal protection within the realm of surnames in use outside the realm.

A person born before this Act enters into force who did not acquire a surname at birth shall take as his/her name:

1. the father's name containing the father's only or commonly used first name with an ending indicating the relationship,
2. the father's name which his/her father or mother used as a surname,
3. the name of a farm or small holding which the person or either of his/her parents owns and has owned for at least five years, or the name of a farm or small holding farmed by the person or either of his/her parents, provided that the usufruct is for life or has been maintained for at least twenty years.

If the person is registered under such a name in the population register, he/she shall be given that name.

§26

If a person is registered under a surname in the population register, no claim that he or she lacks the right to that name shall be admitted, provided he/she or the person from whom he/she derives the right to the name was registered in the population register with the name in question before 1 January 1947.

§27

If a person has used a name as his/her surname in good faith for twenty years, since before 9 February 1923 and after reaching the age of eighteen, and no one in that time has instituted proceedings to deprive him/her of the name, that name shall be his/her lawful surname. The twenty years shall include the period during which the name was used by his/her father and after him by the mother or by siblings over the age of eighteen. In the case of a widow, the period during which her husband used the name before they were married shall also be included.

(§27 subsection 2 was repealed by Act no. 39 of 8 June 1979.)

§28

The King may issue specific regulations concerning the implementation of this Act.

Chapter VI

Entry into force.

Amendments to other Acts.

Transitional provisions

§29

This Act shall enter into force from such date as the King shall decide*, and from the same date the Act of 9 February 1923 shall cease to apply. With its entry into force, the following amendments shall be made in the Acts mentioned below:

§30

The following transitional provisions shall apply:

Chapter II of Act no. 39 of 8 June 1979 amending Act no. 1 of 29 May 1964 relating to Personal Names, reads:

This Act enters into force from such time as the

King shall decide**.

The amendments to §1, 3 and 4 shall apply to births, adoptions and marriages which take place after the entry into force of the Act.

The King may decide that §9a shall only enter into force from a later date*** and may issue the regulations necessary for the changes to be implemented.

* From 1 January 1965, pursuant to Royal Decree of 13 November 1964.

** From 1 February 1980, pursuant to Royal Decree of 18 January 1980.

*** Decided by Royal Decree of 18 January 1980.