

Act of 11 June 1992 No. 100
relating to Child Welfare Services

as subsequently amended,
most recently by Act of 11 August 2000 No. 76

and

REGULATIONS

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Act relating to Child Welfare Services

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Act of 11 June 1992 No. 100 relating to Child Welfare Services

Chapter 1 Purpose and scope of the Act

Section 1-1 Purpose of the Act

The purpose of this Act is

- to ensure that children and young people who live in conditions which may be detrimental to their health and development receive the necessary assistance and care at the right time,
- to help to ensure that children and young people are brought up in a secure environment.

Section 1-2 Geographical scope of the Act

The provisions of the Act concerning services and measures apply to all persons who are present in Norway.

The King may lay down regulations concerning the application of the Act in Svalbard.

Section 1-3 To whom the Act applies

Measures mentioned in this Act may be applied in respect of children below the age of 18.

When the child consents thereto, measures implemented before the child has reached the age of 18 may be maintained or replaced by other measures mentioned in this Act until the child has reached the age of 23. See, however, section 4-24, third paragraph.

Chapter 2. Distribution of responsibility, administration

Section 2-1 Functions of the municipality

The municipality is responsible for performing those functions pursuant to the Act which are not assigned to the county municipality or to a central government agency.

The municipal council may decide that functions ensuing from this Act shall be assigned to an elected body. The said body, which may not be the municipal council itself, shall have five members when dealing with child welfare cases.

In each municipality there shall be a child welfare administration headed by a person who is responsible for functions pursuant to this Act.

The administration shall perform the day-to-day child welfare work, including

- a) providing advice and guidance,
- b) making administrative decisions/orders in accordance with the Act, if appropriate recommending decisions/orders; cf. second paragraph,
- c) preparing cases for consideration by the county social welfare board,
- d) implementing and monitoring child welfare measures.

Those agencies that perform functions on behalf of the municipality, cf. second and third paragraphs, constitute the municipal child welfare service.

The municipality is responsible for the requisite training of child welfare service personnel. Such personnel are obligated to participate in training which is prescribed, and which is considered necessary to keep up their qualifications. The King may issue regulations regarding training.

Section 2-2 Functions of the county municipality

When so requested by a municipality, the county municipality shall assist the municipal child welfare service in placing a child in care.

The county municipality is responsible for ensuring that the functions imposed on it pursuant to sections 5-1 to 5-5 are carried out.

The county municipality is responsible for recruitment of and mediation relating to foster homes, and for ensuring that foster parents receive the requisite training and general guidance.

Section 2-1, sixth paragraph, applies correspondingly to the county municipality.

Section 2-3 Central government functions and authority

The Ministry shall

- a) oversee that the Act and regulations and other provisions which apply to services and measures pursuant to this Act are applied correctly and in such a way as to promote the purpose of the Act,
- b) ensure that experience gained in connection with the Act is assessed, and that requisite changes are made in the body of rules and regulations,
- c) issue any guidelines and instructions that are necessary in order to achieve such objectives as are mentioned in litera a),
- d) take steps to initiate research which may be of significance for the performance of functions pursuant to the Act,
- e) ensure that satisfactory facilities are available for the training of personnel, and that those responsible for applying the Act receive satisfactory guidance,
- f) ensure the preparation of information material suitable for use by the child welfare service.

The Ministry may require that municipal and county municipal agencies to which this Act applies shall, notwithstanding the duty of secrecy, provide such information and reports as are necessary to enable the Ministry to perform its functions pursuant to the first paragraph. The same applies to institutions to which chapter 5 of the Act applies. The Ministry may demand access to all institutions to which chapter 5 applies.

The county governor is obligated to exercise special supervision of child welfare activities in the individual municipalities and county municipalities. This obligation shall include

- a) ensuring that municipalities and county municipalities receive advice and guidance,
- b) seeing to it that municipalities and county municipalities discharge the functions imposed on them pursuant to this Act,
- c) exercising supervision of institutions pursuant to chapter 5.

The Ministry may issue further regulations regarding the exercise of supervision, cf. third paragraph.

Section 2-4 Pilot projects

The King may consent to the implementation of pilot projects in municipalities and county municipalities for the purpose of developing methods of cooperation between the child welfare service and relevant partners in the central government, county municipal and municipal administration.

In relation to other persons who perform services or work for a public administrative agency, the King may consent to departures from the statutory duty of secrecy that is laid down in the present and following Acts: Act of 8 January 1960 No. 1 relating to the Education and Official Certification of Nurses, section 11, Act of 28 April 1961 No. 2 relating to Mental Health Care, section 7, Act of 10 February 1967 relating to Procedure in Cases concerning the Public Administration (the Public Administration Act), sections 13 to 13 f, Act of 19 June 1969 No. 57 relating to Hospitals, section 16, Act of 9 March 1973 No. 13 relating to Authorization, etc. of Psychologists, section 6, Act of 5 May 1995 No. 19 relating to Day Care Institutions, section 21, Act of 13 June 1980 No. 42 relating to Medical Practitioners, sections 31 and 34, Act of 19 November 1982 No. 66 relating to Municipal Health Services, section 6-6, Act of 13 December 1991 No. 81 relating to Social Services, etc., section 8-8 and the Act relating to Primary and Secondary Education (the Education Act), section 15-1. Furthermore, consent may be given for the establishment of a common registration card index at the site of the pilot project. The card index shall state whether the various administrative agencies possess information regarding an individual client or patient and where such information may be found.

Statutes shall be drawn up for each pilot project. The statutes shall be laid down by the municipal council or the county council, respectively. When the statutes are drawn up, section 37 of the Public Administration Act shall apply correspondingly.

The statutes shall be subject to approval by the King. In connection with such approval, the King may make minor amendments to the statutes. The King may make minor amendments to statutes that have already been approved.

The King may issue further rules regarding pilot projects pursuant to this provision, such as regarding the number of pilot projects in total and within an individual pilot area, procedures for selecting pilot projects and areas, and the approval and implementation of pilot projects.

The Ministry shall exercise the overriding supervision of pilot projects.

Chapter 3 General functions of the child welfare service

Section 3-1 Preventive activity

The municipality shall closely monitor the conditions in which children live, and is responsible for framing measures to safeguard against inadequate care and behavioural problems.

The child welfare service has particular responsibility for bringing to light inadequate care and behavioural, social and emotional problems at a sufficiently early stage to avoid lasting problems, and for instituting measures to this end.

Section 3-2 Collaboration with other parts of the public administration

The child welfare service shall help to ensure that children's interests are also protected by other public agencies.

The child welfare service shall collaborate with other sectors and levels of the public administration when such collaboration may facilitate the performance of the functions imposed on the child welfare service pursuant to this Act. As part of these functions the child welfare service shall give its opinion and advice and take part in the municipal and county municipal planning activity and in the collaborative agencies that are established.

Section 3-3 Collaboration with voluntary organizations

The child welfare service should also collaborate with voluntary organizations which are involved in work with children and young people.

Chapter 4 Special measures

Section 4-1 Consideration of the child's best interests

When applying the provisions of this chapter, decisive importance shall be attached to framing measures which are in the child's best interests. This means that importance shall be attached to giving the child stable and good contact with adults and continuity in the care provided.

Section 4-2 Reports to the child welfare service

The child welfare service shall at the earliest opportunity, and within one week at the latest, examine reports it receives and assess whether the individual report shall give rise to investigations pursuant to section 4-3.

Section 4-3 Right and duty of the child welfare service to make investigations

If there is reasonable cause to assume that circumstances obtain which may provide a basis for measures pursuant to this chapter, the child welfare service shall investigate the matter at the earliest opportunity; cf. time limits set out in section 6-9.

The investigation shall be carried out in such a way as to minimise the harm it causes to anyone affected, and it shall not have a wider scope than justified by its purpose. Importance shall be attached to preventing the unnecessary spreading of information about the investigation.

The parents or the person with whom the child is living may not oppose an investigation as mentioned in the first paragraph being carried out in the form of a visit paid to the home.

The child welfare service, and experts whom it has appointed, may demand to interview the child alone in a separate room. If there is suspicion that the child is being mistreated or subjected to other serious abuse at home, cf. section 4-12, first paragraph, litera c, the child welfare service may order that the child shall be taken to hospital or elsewhere for examination.

Section 4-4 Assistance for children and families with children

The child welfare service shall contribute to providing the individual child with a sound environment and opportunities for development by providing advice, guidance and assistance.

The child welfare service shall, when the child is in particular need of such measures due to conditions at home or for other reasons, ensure that measures are implemented to assist the child and the family, e.g. in the form of a personal support contact, a place for the child at a day care institution, or respite care at home. The child welfare service shall similarly seek to implement measures which may encourage the child to take part in leisure activities, or contribute to ensuring that the child is offered training or employment, or an opportunity to live away from home. Furthermore, the child welfare service may place the home under supervision by appointing a supervisor for the child.

The child welfare service may also provide assistance for the child in the form of financial support.

The county social welfare board may if necessary decide that measures such as a place at a day care institution or other suitable day care facility shall be implemented by issuing the parents with an order to this effect. The county social welfare board may issue a supervision order when the conditions of section 4-12 are satisfied.

When the conditions in the second paragraph are satisfied, and provided the needs cannot be met by other assistance measures, the child welfare service may also make a place available in a foster home, maternity home or institution. However, if it must be assumed that the parents will be unable to take proper care of the child for an extended period, consideration should be given to deciding immediately that the child welfare service shall take the child into care pursuant to section 4-12, first paragraph, rather than effect voluntary placement pursuant to this section.

Section 4-5 Monitoring of assistance

When assistance measures are adopted, the child welfare service shall draw up a time-limited plan for their implementation. The child welfare service shall keep itself informed of the progress of the child and the parents, and assess whether the assistance provided is appropriate or, as the case may be, whether new measures are necessary.

Section 4-6 Temporary orders in acute situations

If a child is without care because the parents are ill or for other reasons, the child welfare service shall implement such assistance as is immediately required. Such measures may not be maintained against the will of the parents.

If there is a danger that a child will suffer material harm by remaining at home, the head of the child welfare administration or the prosecuting authority may without the consent of the parents immediately make a temporary order to place the child in care. The order shall as soon as possible, and if possible within 48 hours, be provisionally approved by the chairperson of the county social welfare board.

In such a case the head of the child welfare administration may also make a temporary order pursuant to section 4-19.

If an order has been made pursuant to the second paragraph, a proposal as mentioned in section 7-3 shall be sent to the county social welfare board as soon as possible, and within six weeks at the latest, but within two weeks if it is a matter of measures pursuant to section 4-24.

If the matter has not been sent to the county social welfare board within the time-limits mentioned in the fourth paragraph, the order ceases to apply.

Section 4-7 Children placed in care by the parents themselves

When a child is placed with other persons such that the parents cannot be said to have the child in their daily care, the child welfare service may demand the right to approve the placement site if the placement lasts more than two months, cf. section 4-22, second paragraph. The basis for making such a demand is the same as for making investigations pursuant to section 4-3. The rules applying to investigations pursuant to section 4-3 shall also be followed in these cases.

The requirement as to approval does not apply when the child is over 15 years of age, when the placement is necessary in the interest of the child's schooling, or when the child is placed in a public institution on account of his or her health and development.

When the child welfare service receives information about placement pursuant to the first paragraph, it shall investigate whether there is a need for assistance which may provide the parents with a basis for having the child in their care, or which is otherwise desirable in the interests of the child. Section 4-3, second, third and fourth paragraphs, applies as regards the carrying out of the investigation. The investigation may be omitted if the information to hand renders it unnecessary.

Section 4-8 Order prohibiting removal of the child, or issue of a care order, when the child lives away from home

If a child is placed away from home by the parents or with their consent pursuant to section 4-4, the county social welfare board may decide that the child shall not be removed for a period of up to three months. Such an order may only be made if there is no reasonable cause for removing the child, or if removal may be harmful for the child. The child welfare service shall, in the course of the stipulated period, take steps to ensure that removal may take place with the least possible inconvenience for the child.

If removing the child will in all probability lead to a situation or risk for the child, as mentioned in section 4-12, first paragraph, a care order may be made. Such an order may also be made before a new-born child is moved to his or her parents. Section 4-12, second and third paragraphs, applies correspondingly.

Even if the conditions pursuant to section 4-12 are not satisfied, a care order may be made if the placement has lasted more than two years, and the child has acquired such an attachment to the persons and environment where he or she is living that, based on an overall assessment, it must be assumed that removing the child may lead to serious problems for him or her.

Section 4-9 Provisional orders pursuant to section 4-8

A provisional order pursuant to section 4-8, first paragraph and second paragraph, second sentence, may be made by the head of the child welfare administration if those interests which the provision is intended to protect may suffer substantial harm if the order is not made and implemented immediately. The order shall as soon as possible, and if possible within 48 hours, be provisionally approved by the chairperson of the county social welfare board.

The head of the child welfare administration may, when a provisional order has been made pursuant to section 4-8, second paragraph, second sentence, also make a provisional order pursuant to section 4-19.

If a provisional order has been made, a proposal as mentioned in section 7-3 shall be sent to the county social welfare board as soon as possible, and within six weeks at the latest.

If the matter has not been sent to the county social welfare board within the time limit mentioned in the third paragraph, the order ceases to apply.

Section 4-10 Medical examination and treatment orders

If there is reason to believe that a child is suffering from a life-threatening or other serious illness or injury, and if the parents fail to ensure that the child is examined or receives treatment, the county social welfare board may decide that the child with the assistance of the child welfare service shall be examined by a doctor, or be taken to a hospital for examination. The county social welfare board may also decide that such an illness shall be treated at a hospital or at home in accordance with a doctor's instructions.

Section 4-11 Treatment orders for children with special treatment and training needs

If the parents fail to ensure that a child who is disabled or in special need of assistance receives the treatment and training required, the county social welfare board may decide that the child shall receive treatment or training with the assistance of the child welfare service.

Section 4-12 Care orders

Care orders may be made

- a) if there are serious deficiencies in the daily care received by the child, or serious deficiencies in terms of the personal contact and security needed by a child of his or her age and development,
- b) if the parents fail to ensure that a child who is ill, disabled or in special need of assistance receives the treatment and training required,
- c) if the child is mistreated or subjected to other serious abuses at home, or
- d) if there is every probability that the child's health or development may be seriously harmed because the parents are incapable of taking adequate responsibility for the child.

An order may only be made pursuant to the first paragraph when required by the child's current situation. Hence such an order may not be made if satisfactory conditions can be created for the child by assistance measures pursuant to section 4-4 or by measures pursuant to section 4-10 or section 4-11.

An order pursuant to the first paragraph shall be made by the county social welfare board pursuant to the rules of chapter 7.

Section 4-13 Implementation of care orders

A care order shall be implemented as soon as possible. The order ceases to apply if it is not implemented within six weeks of the date the order was made. The chairperson of the county social welfare board may extend the time limit when special reasons so dictate.

Section 4-14 Placement alternatives after a care order

When an order is made pursuant to section 4-12 or section 4-8, second and third paragraphs, the child shall be placed

- a) in a foster home, cf. section 4-22,
- b) in an institution included in the county municipal plan pursuant to section 5-1, cf. section 5-2, or
- c) in a training or treatment institution when this is necessary because the child is disabled.

Section 4-15 Choice of placement site in the individual case

Within the framework stipulated in section 4-14, the placement site shall be selected based on the child's distinctive characteristics and need for care and training in a stable environment. Consideration shall be given to the likely duration of the placement, and to whether it is possible and desirable for the child to have access to and other contact with his or her parents.

In its proposal to the county social welfare board, the child welfare service shall give an account of the points of view upon which the choice of placement in the individual case should be based. In its decision the county social welfare board may attach conditions to the placement. If it is not possible for the child to be placed as stipulated by the proposal or the decision, the matter shall be resubmitted to the county social welfare board.

The child welfare service shall already have adopted a plan for care of the child when he or she is taken into care. The child welfare service shall, at the latest two years after the decision of the county social welfare board, adopt a plan for the future care of the child which shall not be amended unless the preconditions for the plan have ceased to apply. This plan shall be submitted to the county social welfare board for possible comment.

Well before the child reaches the age of 18, the child welfare service shall in cooperation with the child consider whether the placement shall be maintained or whether the child shall receive other assistance measures after reaching the age of 18. If the child consents thereto, the child welfare service shall draw up a plan for future measures. This plan may be amended.

Section 4-16 Monitoring of care orders

The child welfare service shall closely follow the development of those children in respect of whom a care order has been made, as well as the development of their parents.

Section 4-17 Removal of the child

The child welfare service may remove the child only if this is necessitated by changed circumstances, or if it must be considered to be in the child's best interests. Decisions of the child welfare service in removal cases may be appealed to the county social welfare board.

Section 4-18 Responsibility for care in lieu of the parents

When an order pursuant to section 4-12, cf. section 4-8, second and third paragraphs, is implemented, responsibility for care is transferred to the child welfare service. Foster parents or the institution in which the child is living shall provide daily care on behalf of the child welfare service. The child welfare service may decide that the foster parents or the institution in which the child is living shall also decide matters other than those pertaining to daily care.

The county welfare board may decide that the parents shall be entitled to decide matters not pertaining to daily care.

Section 4-19 Right of access. Covert address

Unless otherwise provided, children and parents are entitled to access to each other.

When a care order has been made, the county social welfare board shall determine the extent of access, but may in the interests of the child also decide that there shall be no access. The county social welfare board may also decide that the parents shall not be entitled to know the child's whereabouts.

The county social welfare board may decide that persons other than the parents shall have right of access to the child.

Section 4-20 Deprivation of parental responsibility. Adoption

If the county social welfare board has made a care order, the county social welfare board may also decide that the parents shall be deprived of all parental responsibility. If, as a result of the parents being deprived of parental responsibility, the child is left without a guardian, the county social welfare board shall as soon as possible take steps to have a new guardian appointed for the child.

When an order has been made depriving the parents of parental responsibility, the county social welfare board may give its consent for a child to be adopted by persons other than the parents.

Consent may be given if

- a) it must be regarded as probable that the parents will be permanently unable to provide the child with reasonable care or the child has become so attached to persons and the environment where he or she is living that, based on an overall assessment, removing the child may lead to serious problems for him or her and
- b) adoption would be in the child's best interests and
- c) the applicant adoptive parents have been the child's foster parents and have shown themselves fit to bring up the child as their own.

Section 4-21 Revocation of a care order

The county social welfare board shall revoke a care order when the parents are able to provide the child with reasonable care. The order shall nonetheless not be revoked if the child has become so attached to persons and the environment where he or she is living that, based on an overall assessment, removing the child may lead to serious problems for him or her. Before a care order is revoked, the child's foster parents shall be entitled to state their opinion.

The parties may not demand that a case concerning revocation of a care order shall be dealt with by the county social welfare board if the case has been dealt with by the county social welfare board or a court of law during the preceding twelve months.

Section 4-22 Foster homes

In this Act, "foster home" means

- a) a private home that accepts children for fostering on the basis of a decision of the child welfare service regarding assistance pursuant to section 4-4, or in connection with a care order pursuant to section 4-12 or section 4-8, second and third paragraphs,
- b) a private home subject to approval pursuant to section 4-7.

Persons selected as foster parents shall have a special aptitude for giving children a secure and good home, and be capable of discharging the task of fostering in accordance with the preconditions laid down concerning the duration of the placement etc., cf. section 4-15.

The Ministry may issue regulations regarding the requirements that shall be met in connection with the selection of a foster home, regarding the foster homes' rights and duties, regarding the child welfare service's duty to provide guidance and to monitor foster homes, and regarding supervision of children in foster homes.

The child welfare service shall appoint a supervisor for children in foster homes.

The municipality in which the foster home is located is responsible for approval and supervision of the home.

Section 4-23 Mediation of foster homes

It is prohibited for private individuals to mediate the placement of children otherwise than for the purpose of adoption. Moreover, organizations may not engage in such activity without a licence from the Ministry, which in such case supervises the activity.

Any person who wilfully contravenes the prohibition in the first paragraph or is an accessory thereto is liable to fines or a term of imprisonment not exceeding three months. Attempts are subject to the same penalty as a completed contravention.

Chapter 3 A of the Adoption Act shall apply to mediation relating to the placement of children for the purpose of adoption.

Section 4-24 Placement and detention in an institution without the child's own consent

A child who has displayed serious behavioural problems

- in the form of serious or repeated criminality
- in the form of persistent abuse of intoxicating substances or
- in other ways

may without his or her consent or the consent of the person with parental responsibility for him or her be placed in an institution for observation, examination and short-term treatment for up to four weeks, or for a shorter period as specified in the order. In the event of a renewed order the period of placement may be extended by up to four weeks.

If it is likely that a child as mentioned in the first paragraph is in need of more long-term treatment, an order may be made to place the child in a treatment or training institution for up to twelve months without his or her consent or the consent of the person who has parental responsibility for him or her. In the event of a renewed order the period of placement may in special cases be extended by up to twelve months. The child welfare service shall continuously monitor the placement, and review the measure when the placement has lasted six months.

If the placement has been implemented before the child reaches the age of 18, a measure pursuant to the first and second paragraphs may be implemented in the manner decided by the county social welfare board, even if the child in question reaches the age of 18 during the period of placement.

An order pursuant to the first and second paragraphs may only be made if the institution has the expertise and resources required to provide the child with satisfactory assistance in relation to the purpose of the placement.

Section 4-25 Procedure in connection with orders pursuant to section 4-24

Before making an order pursuant to section 4-24 , first and second paragraphs, the child welfare service shall consider whether assistance measures pursuant to section 4-4 should be implemented instead. The child welfare service shall also plan and implement such assistance measures as are necessary after the stay in the institution.

Orders pursuant to section 4-24, first and second paragraphs, shall be made by the county social welfare board pursuant to the rules of chapter 7. Temporary orders may be made by the head of the child welfare administration and by the prosecuting authority. Section 4-6, second, fourth and fifth paragraphs, applies correspondingly.

The child welfare service may refrain from implementing an order if the circumstances so dictate. The county social welfare board shall be informed accordingly. If the order is not implemented within six weeks, it ceases to apply.

Section 4-26 Detention in an institution on the basis of consent

A child with serious behavioural problems may also be admitted to an institution encompassed by section 4-24, first and second paragraphs, with his or her consent and the consent of those who have parental responsibility for him or her. If the child has reached the age of 15, his or her consent is sufficient.

When a child is admitted to an institution on the basis of his or her consent, the institution may attach the condition that the child may be detained in the institution for up to three weeks as from the date of admission. In the event of admission to an institution with a view to treatment or training lasting at least three months, a condition may also be attached to the effect that the child may be detained for up to three weeks after consent has been expressly withdrawn.

If the child absconds, but is returned within three weeks, the period of detention is reckoned from the date on which the child is returned to the institution.

The child's consent shall be in writing and shall be delivered to the management of the institution at the latest at the start of the stay. Before giving his or her consent, the child shall be informed of conditions, if any, as mentioned in the second paragraph.

Section 4-27 Special requirements pertaining to the county municipal plan

The county municipal plan shall stipulate which institutions shall admit children on the basis of orders as mentioned in section 4-24, cf. section 4-26. The plan may specify that children may be placed in a foster home that is especially equipped to address the problems in question.

Section 4-28 Plan of measures to be applied

When a child is placed in an institution without his or her consent or the consent of the person with parental responsibility, cf. section 4-24, the child welfare service shall ensure that a plan of the measures to be applied is drawn up for the child. A draft of the plan shall be available when the county social welfare board deals with the case. The final plan shall be drawn up as soon as possible after the county social welfare board has made an order. The plan of measures to be applied must not conflict with the order of the county social welfare board or with the preconditions on which the order was based. Also in cases when the child welfare service assists in placing a child

in an institution on the basis of consent, cf. section 4-26, it shall ensure that a plan of measures to be applied for the child is drawn up if the child and the persons with parental responsibility consent thereto. If the child has reached the age of 15, the consent of the child is sufficient. If possible, the plan shall be available prior to effecting the placement.

The plan shall be amended if necessary to meet the needs of the child. As far as possible, the plan shall be drawn up and amended in cooperation with the child. When the placement is effected pursuant to section 4-24, no amendments must be made which conflict with the order of the county social welfare board or with the preconditions on which the order was based. When the placement is effected pursuant to section 4-26, such consent as is mentioned in the first paragraph, fifth and sixth sentences, must also be obtained if the plan is to be amended.

When the placement is effected with the assistance of the county municipality, cf. section 2-2, the county municipality shall at the request of the municipal child welfare service assist the child welfare service in drawing up the plan.

The Ministry may issue guidelines regarding the content of the plan.

Chapter 5 Institutions

Section 5-1 The county municipality's responsibility for institutions for children

The county municipality is responsible for the establishment and operation of institutions, and any associated specialized services for care and treatment of children. This responsibility applies to institutions to which this Act applies.

Section 5-2 The county municipal plan for institutions as mentioned in section 5-1

The county municipality shall draw up a plan for discharging the functions mentioned in section 5-1. The plan shall show how the county municipality will meet current and future needs for places in institutions, taking into account the facilities available in institutions operating under other Acts. It shall state the extent to which such needs shall be met by including private and municipal institutions in the plan by agreement as mentioned in section 5-5.

The Ministry may lay down recommended guidelines for the content of the plan.

The plan shall be sent to the Ministry for comment.

Section 5-3 Collaboration between county municipalities

Several county municipalities may collaborate in the functions set out in section 5-1 and section 5-2. The Ministry may order such collaboration when this is required to ensure the availability of institutional facilities.

Section 5-4 Admission to and discharge from institutions as mentioned in section 5-1

The county municipality shall issue rules for the procedure for deciding admissions and discharges. The Ministry may issue regulations on the content of such rules.

If it has been decided that a child shall be admitted to an institution, the institution may not refuse to admit the child.

Children may not be discharged before the due date without the consent of the child welfare service.

Either party may demand that disagreement on admission or discharge be referred to the county governor for decision.

Section 5-5 Inclusion of municipal and private institutions in the county municipal plan

The county municipality may, in accordance with the stipulations or preconditions in the plan, cf. section 5-2, enter into an agreement with municipal and private institutions to the effect that the county shall have the disposal of the places in such institutions.

If an agreement as mentioned in the first paragraph is entered into, the county governor shall meet the operating expenses pursuant to an approved budget. The institution shall observe the rules regarding budgets, accounts and audits that apply to the county municipality's own institutions. The Ministry may issue regulations as to what are to be regarded as operating expenses.

The agreement shall contain a provision stating the duration of the agreement. If the agreement entails that the county municipality shall contribute to repayment of debt, or if it wishes to contribute to increasing the institution's own funds by other means, the agreement shall contain a provision regarding security for the county municipality's capital spending.

Section 5-6 Collaboration with institutions to which other Acts apply

In the case of children whom the authorities are considering placing in an institution to which another Act applies, the county municipality shall ensure that collaboration is established between the child welfare service, the county municipality and such institutions. The county municipalities shall issue rules regarding the way such collaboration shall be organized. The Ministry may issue regulations regarding collaborative arrangements, including a duty to participate in collaborative groups, admissions panels and the like.

Section 5-7 Oversight

The county governor shall oversee that institutions that are included in the county municipal plans are operated in accordance with this Act, regulations appurtenant to the Act and the adopted plan.

If the county governor deems that the institution is improperly run, the county governor may order that the conditions be rectified, or that the institution be closed down.

The county governor may appoint supervisory committees to monitor the institutions. The Ministry may issue regulations on the business and composition of the supervisory committees.

Section 5-8 Private institutions that are not included in the county municipal plan

The Ministry may issue regulations regarding supervision, cf. section 5-7, in respect of private institutions which are not included in the county municipal plan, but which the municipality wishes to utilise for children to whom this Act applies.

If the county governor deems that a supervised institution is improperly run, he may order that the conditions be rectified, or that the institution be closed down.

The Ministry may issue regulations requiring such institutions to formulate rules governing the rights of children during their stay in the institution, cf. section 5-9.

The Ministry may issue regulations regarding keeping accounts and regarding public authorities' insight into the accounts.

If the municipality or the county municipality wishes to provide financial support to an institution which is not included in the county municipal plan, or to use the institution as part of its care and treatment facilities, it must investigate the institution and oversee that it is operated in accordance with this Act and appurtenant regulations, and that it is otherwise operated in a satisfactory manner.

Section 5-9 Rights during stays in institutions to which this chapter applies

Institutions shall be operated in such a way that the children themselves may decide personal matters and have such access to other persons as they wish, to the extent this is compatible with the child's age and maturity, with the object of the stay, and with the institution's responsibility for its day-to-day operation, including its responsibility for the children's security and well-being.

The children shall be entitled to move around both on and off the institution's premises, subject to the constraints established in the interests of the children's need for security and well-being. In the case of children who have been placed in the institution on the basis of an order or consent as mentioned in section 4-24 or section 4-26, the institution may limit the right of such children to leave the premises to the extent necessitated by the purpose of the order.

It is not permitted to

- a) punish a child physically,
- b) to lock the child in a room on his or her own or employ similar coercive measures unless authorized by regulations as mentioned in the fourth paragraph, litera a,
- c) keep a check on a child's correspondence unless authorized by regulations as mentioned in the fourth paragraph, litera b.

The Ministry may issue regulations

- a) to supplement the above provisions, including regulations regarding the use of coercive measures,
- b) with a view to preventing intoxicating substances or dangerous objects from being brought into the institution,
- c) regarding management of the child's funds.

Section 5-10 General requirements for institutions to which this chapter applies

In order to ensure that institutions to which this chapter applies maintain a satisfactory standard, the Ministry may issue recommended guidelines regarding buildings and equipment, staffing and employees' education, etc.

Chapter 6 General rules of procedure

Section 6-1 Application of the Public Administration Act

The Public Administration Act applies together with the special rules laid down in this Act.

Decisions concerning benefits and services pursuant to this Act shall be regarded as individual decisions.

If several persons simultaneously seek a service which is in short supply, they are not regarded as parties in the same case, and an applicant who believes himself or herself to have been passed over is not entitled to complain that another person has received the benefit.

The Ministry may issue regulations to the effect that the Public Administration Act shall apply to decisions taken while the child is in the institution.

Section 6-2 Application of the Public Administration Act to private institutions

The Public Administration Act, together with the special rules set out in this Act, cf. section 6-1, applies to clients of private institutions that are included in the county municipal plan pursuant to section 5-2.

Section 6-3 Children's rights during processing of the case

A child shall receive information and be consulted when this is advisable based on his or her development and maturity and the nature of the case. A child who has reached the age of 12 shall invariably be allowed to state his or her opinion before an order is made to place him or her in a foster home, institution, or to subsequently remove him or her therefrom. Importance shall be attached to the opinion of the child.

A child may appear as a party in a case and bring to bear his or her rights as a party if he or she has reached the age of 15 and understands the subject-matter of the case. The county social welfare board may grant a child of less than 15 years of age rights as a party in special cases. In a case concerning measures for children with behavioural problems, the child shall invariably be regarded as a party.

Section 6-4 Obtaining information

Information shall as far as possible be obtained in cooperation with the person whom the case concerns or in such a way that the person concerned is aware that information is being obtained.

Notwithstanding the duty of secrecy, public authorities shall on their own initiative disclose information to the municipal child welfare service when there is reason to believe that a child is being mistreated at home or is subjected to other serious deficit of parental care, cf. sections 4-10, 4-11 and 4-12, or when a child has shown persistent, serious behavioural problems, cf. section 4-24. Organizations and private entities that perform tasks for the state, county municipality or municipality are considered on a par with public authorities. Public authorities are also obligated to disclose such information when ordered to do so by agencies which are responsible for implementation of the Act.

Practitioners of professions pursuant to the Act relating to Medical Practitioners, Act relating to Authorization, etc of Psychologists, Act relating to Dentists, Act relating to the Education and Official Certification of Nurses, Act relating to Midwives, Act relating to Physiotherapists and Mensendieck Physiotherapists, Act relating to Mental Health Care, Act relating to Municipal Health Services, Act relating to Hospitals, and Act relating to Family Counselling Services and Mediators in Matrimonial Cases (cf. Marriage Act) are also obligated to disclose information pursuant to the rules of the second paragraph.

Section 6-5 Appeals against decisions/orders of the child welfare service

Individual decisions made by the child welfare service may be appealed to the county governor.

Unless otherwise provided in this Act, the first paragraph does not apply to cases which pursuant to chapter 7 belong under the county social welfare board.

Section 6-6 The county governor's competence in appeals

The county governor may test all aspects of the decision/order.

If a decision which upholds an appeal cannot be implemented forthwith, the county governor may decide that temporary measures to meet the immediate need shall be implemented without delay.

Section 6-7 Duty of secrecy

Anyone who performs services or work for a public administrative agency or institution pursuant to this Act is subject to a duty of secrecy pursuant to sections 13 to 13 e of the Public Administration Act. Contraventions are punishable pursuant to section 121 of the General Civil Penal Code.

The duty of secrecy also applies to place of birth, date of birth, national identity number, nationality, marital status, occupation, address and place of employment. Information about a client's whereabouts may nonetheless be disclosed when it is clear that disclosure of such information will not jeopardise confidence in the child welfare service or the institution.

Information may only be disclosed to other public administrative agencies, cf. section 13 b, subsections 5 and 6, of the Public Administration Act, when necessary to facilitate the functions of the child welfare service or the institution, or to prevent material danger to life or serious harm to a person's health. Notwithstanding the duty of secrecy, the child welfare service shall provide information to the social service on its own initiative when there is reason to believe that a pregnant woman is abusing intoxicating substances in such a way that it is highly probable that her child will be born with a defect, cf. section 6-2 a of the Social Services Act. The child welfare service is also obligated to provide such information if so ordered by the agencies responsible for implementing the Social Services Act.

If a child's best interests so indicate, the county governor or the Ministry may decide that information shall be subject to a duty of secrecy, even if the parents have consented to its disclosure.

Section 6-8 Use of coercion when carrying out investigations and when enforcing decisions/orders

When it is deemed necessary, the head of the child welfare administration may request the assistance of the police in carrying out investigations pursuant to section 4-3 and in enforcing decisions and orders pursuant to sections 4-6, second paragraph, 4-8, 4-9, 4-10, 4-11, 4-12, 4-17, 4-24 and 4-25, second paragraph.

Section 6-9 Time limits and imposition of fines

An investigation pursuant to section 4-3 shall be carried out as soon as possible and within three months at the latest. In special cases the time limit may be six months.

An investigation is regarded as completed when the child welfare service has made a decision to implement measures or it has been decided to drop the case. In those instances where the measure falls within the jurisdiction of the county social welfare board pursuant to chapter 7, the investigation is regarded as completed when the child welfare service has presented a proposal for measures to the county social welfare board in accordance with section 7-3.

Measures shall be implemented as soon as possible, but at the latest within six weeks from the date of the decision, when the basis for the measure is circumstances as mentioned in section 4-12.

If the time limits set out in the first and third paragraphs are not observed, the county governor may impose a fine on the municipality and county municipality. The same applies if the time limit mentioned in section 4-2 is not observed. The Ministry may issue regulations regarding implementation of the sanction and on the size of the fine.

Section 6-10 Police certificate

Any person who is to be employed by the child welfare service, cf. section 2-1, shall submit a satisfactory police certificate.

Any person who is to be employed by an institution included in the county municipal plan pursuant to section 5-1, cf. section 5-2, shall submit a satisfactory police certificate. The same applies to any person who is to be employed by a private institution which has not been included in the county municipal plan, but which is used for children and young people to whom this Act applies, cf. section 5-8. A police certificate may also be required of other persons who perform functions for the institution and who are in direct contact with children and young people residing there.

The person or persons who are to be approved as foster parents, cf. section 4-22, shall submit a satisfactory police certificate. A police certificate may also be required of other persons living in the foster home.

A police certificate may be required of personal support contacts, supervisors, private individuals who take care of children as a respite measure and other persons who perform functions for the child welfare service in connection with the provision of assistance pursuant to section 4-4.

The police certificate shall show whether the person in question has been charged with, indicted for, fined for or convicted of contravening sections 193, 194, 195, 196, 197, 199, 200, second paragraph, 201, litera c and 204, first paragraph, litera d.

Any person who has been fined for or convicted of a contravention as mentioned in the fifth paragraph is precluded from performing work or functions as described in this provision.

The Ministry may issue regulations supplementing this provision.

Chapter 7 Rules of procedure for the county social welfare board

Section 7-1 Use of the county social welfare board in child welfare cases

The following provisions of Act of 13 December 1991 No. 81 on Social Services apply correspondingly to cases pursuant to this Act:

- a) section 9-1 regarding the county social welfare board's jurisdiction,
- b) section 9-2 regarding the county social welfare board's composition,

- c) section 9-3 regarding the county social welfare board's secretariat,
- d) section 9-5 regarding appointment of agents,
- e) section 9-6 regarding the county social welfare board's composition in the individual case
- f) section 9-7 regarding disqualification,
- g) section 9-8 regarding the meeting to discuss the case. A meeting shall be held with the parties as soon as possible, and if possible within four weeks after the county social welfare board received the case,
- h) section 9-9 regarding administrative decisions and grounds,
- i) section 9-10 regarding review of decisions by the county social welfare board. Section 6-3, second paragraph, of this Act applies to the right of a child to bring a decision made pursuant to the Child Welfare Act before a court of law,
- j) section 9-11 regarding amendments of decisions by the county social welfare board,
- k) section 9-12 regarding regulations concerning administrative procedures.

Section 7-2 The county social welfare board's jurisdiction in child welfare cases

The county social welfare board shall decide:

- a) cases concerning orders to provide assistance pursuant to section 4-4, fourth paragraph,
- b) cases concerning prohibition against removal of a child pursuant to section 4-8,
- c) cases concerning medical examination and treatment of children pursuant to section 4-10,
- d) cases concerning treatment of children in need of special treatment and training pursuant to section 4-11,
- e) cases concerning care orders pursuant to section 4-12, section 4-8, second and third paragraphs and section 4-21 and cases which shall or may be decided by the county social welfare board pursuant to sections 4-13, 4-15, 4-18, 4-19, 4-20, 9-2 and 9-3,
- f) cases concerning measures for children with behavioural problems pursuant to section 4-24,
- g) appeals against temporary orders pursuant to section 4-6, second and third paragraphs, concerning placement of children in care, appeals against provisional orders pursuant to section 4-9, first and second paragraphs, cf. section 4-8, and appeals against temporary orders pursuant to section 4-25, second paragraph, second sentence, cf. section 4-24,
- h) appeals against orders pursuant to section 4-17 concerning removal of children.

Section 7-3. Preparation of a case as mentioned in section 7-2 a -f

Proceedings in any case mentioned in section 7-2 a-f are instituted by the child welfare service which drafts a proposal for a measure pursuant to the relevant provision. In its proposal, the child welfare service shall explain the circumstances on which the measure that the child welfare service proposes to implement is based. The written statements and testimony on which the proposal is based shall be annexed, and the names shall be given of the persons who shall testify to the county social welfare board. When the case concerns a demand by the private party for amendments of an earlier decision, the child welfare service shall prepare the case and forward it to the county social welfare board as soon as possible and within three months at the latest from receipt of the demand by the child welfare service. In special cases, the time limit may be six months.

The child welfare service ought to be represented by counsel during the proceedings.

In instances where the municipal council pursuant to section 2-1, second paragraph, has decided to delegate to an elected body cases of a type which the county social welfare board is empowered to decide, the proposal of the child welfare administration shall be submitted to this body. If the elected officials concur, the proposal, with any comments, shall immediately be sent to the county social welfare board. If the case is urgent, it may be forwarded to the board without first being submitted to the elected officials.

If the county governor is made aware by an appeal, cf. section 6-5, or by other means, of circumstances that indicate that measures should be implemented that require a decision by the county social welfare board, the county governor may present a proposal as mentioned in the first paragraph.

Section 7-4 The child's spokesperson

The county social welfare board may appoint a separate spokesperson for the child in cases that are to be dealt with by the board.

The Ministry may lay down regulations on the further implementation of the arrangement.

Section 7-5 Preparation of an appeal as mentioned in section 7-2 g-h

An appeal as mentioned in section 7-2 g-h shall be prepared by the child welfare service pursuant to the provisions of section 33, first to fourth paragraphs, of the Public Administration Act.

Chapter 8 Responsibility for providing assistance pursuant to the Act

Section 8-1 Responsibility of the municipality in which a person is present

The child welfare service shall provide services and measures pursuant to this Act to all persons present in the municipality.

Section 8-2 Responsibility of the county municipality

The county municipality shall provide services pursuant to section 2-2 of this Act to all persons present in the county.

Section 8-3 Settlement of disputes

In the event of a dispute between municipalities or county municipalities about the application of sections 8-1 and 8-2, the municipalities may request the county governor to settle the dispute. The Ministry may issue further rules on procedure.

Section 8-4 Responsibility for instituting proceedings

The child welfare service in the municipality in which the child is staying is responsible for instituting proceedings pursuant to sections 4-8, cf. 4-9, 4-10, 4-11, 4-12, 4-21 and 4-24. By agreement between the municipalities concerned, such responsibility may be transferred to another municipality with which the child has affiliations.

The child welfare service in the municipality which has instituted proceedings is responsible for implementation, monitoring and control. A change in the child's affiliation with the municipality

entails no change in responsibility unless an agreement as mentioned in the first paragraph, second sentence, is entered into. This also applies when an order has been made pursuant to section 4-4, fifth paragraph, and section 4-26.

Chapter 9 Financing, parental contributions, children's contributions

Section 9-1 The municipality's financial responsibility for the child welfare service

The individual municipality shall make provision for such appropriations as are necessary to provide the services and measures for which the municipality is responsible pursuant to this Act.

The costs of services and measures as mentioned in the first paragraph shall be met by the municipality which pursuant to sections 8-1 and 8-4 is responsible for providing the service or for implementing the measure. Only under the rules of sections 9-2, 9-3, 9-4 and 9-8 may it be demanded that these costs shall be met by others.

Section 9-2 Parents' duty of maintenance

When a child is placed in care as a result of an order made pursuant to this Act, the municipality may demand that the parents pay maintenance contributions for the duration of the placement. The King may by regulations also authorize the municipality to demand that contributions be recovered from the parents' assets.

The county social welfare board shall decide such demand when the decision on which the placement is based falls within the jurisdiction of the county municipality pursuant to section 7-2. The county social welfare board may also decide that maintenance contributions that were stipulated or agreed pursuant to the Children Act prior to the issue of a care order shall continue to be paid.

Costs as mentioned may only be recovered if it is considered reasonable to do so based on the parents' financial situation.

Maintenance contributions shall be paid to the municipality. That part of the contribution which is in excess of the costs of the child's placement belongs to the child himself or herself.

Maintenance contributions pursuant to this provision are collected by the maintenance enforcement officer pursuant to the rules for collection of maintenance contributions.

The Ministry may issue regulations regarding contributions pursuant to this provision.

Section 9-3 The municipality's right to demand contributions from the child

When a child is placed in care as a result of an order made pursuant to this Act, the municipality may require the child to meet the costs of fostering in whole or in part for the duration of the placement.

Contributions as mentioned in the first paragraph may only be demanded if it is considered reasonable to do so. It may not be demanded that contributions be recovered from the child's assets, from return on the latter, or from the child's own, accumulated funds.

The county social welfare board decides the demand in those instances where the decision on which the placement is based falls within the jurisdiction of the county social welfare board pursuant to section 7-2.

Children's contributions shall be paid to the municipality.

The Ministry may issue regulations regarding such contributions.

Section 9-4 The county municipality's financial responsibility for the child welfare service

The individual county municipality shall make provision for such appropriations as are necessary to provide the services and implement the measures for which the county municipality is responsible pursuant to this Act.

As regards children under the age of 20 who are placed in foster homes or institutions, the county municipality shall meet that part of the municipality's expenditure which exceeds the amount that the municipality is obligated to pay pursuant to section 9-5.

Section 9-5 The county municipality's right to demand reimbursement from the municipality

A municipality which has sought admission to an institution for a child shall partially reimburse the costs of his or her stay to the county municipality according to rates stipulated in regulations laid down by the Ministry. Rates may also be stipulated for municipal reimbursement in the event of admission to an institution with associated specialized services pursuant to this Act. The Ministry may issue regulations in this respect.

Section 9-6 The county municipality's right to demand reimbursement from another county municipality

The county municipality's expenses relating to a child who on the date of admission was resident in another county shall be met by the child's county of residence. The Ministry may issue regulations in this respect.

Section 9-7 State grants

The state provides annual grants for partial coverage of the municipalities' and county municipalities' expenditure relating to the child welfare service.

Section 9-8 State reimbursement of and grants for expenditure relating to refugee children and children seeking asylum

Pursuant to further rules prescribed by the King, the state will reimburse the county municipalities' expenditure relating to refugee children and children seeking asylum who have come to Norway without their parents or other persons with parental responsibility, and to whom this Act applies.

The state will grant funds to municipalities to cover expenditure relating to refugee children and children seeking asylum who have come to Norway without their parents or other persons with parental responsibility.

Reimbursement and grants as mentioned in the first and second paragraphs are also given in connection with care orders pursuant to section 4-8, second and third paragraphs, and section 4-12 for children in reception centres for asylum seekers and refugees who have come to Norway with their parents or other persons with parental responsibility.

Chapter 10 Commencement of the Act and transitional rules

Section 10-1 Commencement of the Act

This Act comes into force on the date decided by the King. The King may decide that the individual provisions of the Act shall come into force at different times.

Section 10-2 Transitional provisions

The King may issue regulations regarding the application of the Act in relation to decisions made pursuant to Act of 17 July 1953 No. 14 relating to Child Welfare, and on cases being dealt with pursuant to the said Act.

Section 10-3 Repeal of other Acts

Act of 17 July 1953 No. 14 relating to Child Welfare is repealed with effect from the date on which this Act comes into force.

Section 10-4 Amendments to other Acts

The following amendments are made to other Acts with effect from the date on which this Act comes into force: - - -

Act relating to Social Services, etc.

Chapter 9 Procedure in cases requiring coercive action

Section 9-1 Jurisdiction of the county social welfare board

In each county there shall be a board - the county social welfare board - which shall decide cases concerning measures for abusers of intoxicating substances pursuant to sections 6-2 and 6-2 a.

Section 9-2 Composition of the county social welfare board

To serve on the county social welfare board, the Ministry shall appoint:

- a) a chairperson with legal training and experience and, as necessary, a deputy with the same qualifications,
- b) a committee of experts, and
- c) a committee of laymen.

The committees mentioned in litera b and c of the first paragraph shall be appointed for four years at a time. For the appointment of a committee as mentioned in litera c of the first paragraph, proposals shall be sought from the county municipality.

The King may decide that two or more counties shall have a joint board.

Section 9-3 (Repealed by Act of 4 June 1999 No. 35 (effective from 1 September 1999).)

Section 9-4 Institution of proceedings in cases as mentioned in section 9-1.

Proceedings in any case mentioned in section 9-1 are instituted by the social service, which prepares a proposal concerning measures pursuant to the relevant provision. In the proposal, the social service shall explain the circumstances on which it bases the measures which it stipulates are to be implemented. The written statements and testimony on which the proposal is based shall be annexed, and the names shall be given of the persons who are to testify before the county social welfare board.

The social service shall as a rule be represented by counsel during the case.

If the proposal is to be put before an elected body, cf. Section 8-5 a, it shall, if that body agrees, immediately be sent, with any comments, to the county social welfare board. If the matter is urgent, it may be sent to the board without having been submitted to the elected body in advance.

Section 9-5 Appointment of counsel for the private party, etc.

If the private party has not already engaged counsel, the chairperson or secretariat of the county social welfare board shall ensure that an advocate is appointed for the party. The advocate shall at once be made acquainted with the proposal and annexed documents, and be given a time limit within which to submit a written presentation of the case, submit documents and provide information as to the witnesses he or she wishes to call. The restrictions laid down in section 19, first paragraph, litera c, and second paragraph, of the Public Administration Act on the rights of parties to see the documents in a case do not apply to these documents.

Section 9-6 Composition of the county social welfare board in individual cases

In individual cases, the county social welfare board shall be composed of the chairperson and two members designated by the chairperson from each of the committees mentioned in section 9-2, first paragraph, litera b and c. If the parties agree, the chairperson may decide not to appoint expert members.

The chairperson may call in experts from outside the committee. They shall not take part in the decision-making.

Section 9-7 Disqualification

As regards the disqualification of members of the county social welfare board and of experts and the hearing of questions of disqualification, the provisions of chapter 6 of the Courts of Justice Act apply.

Section 9-8 Meeting to discuss the case

A meeting with the parties to discuss the case and the documentation and the calling of witnesses shall be held without delay, and if possible within one week of receipt of the case by the county social welfare board. The chairperson of the board may decide that the case shall be decided without such a meeting if the parties so agree.

The private party shall be summoned to a meeting as mentioned in the first paragraph, and be given the opportunity to comment. The case may proceed even if he does not appear.

Concerning the duty to testify and the calling of witnesses, and concerning the obligation to produce documentary evidence, the provisions of the Civil Procedure Act apply as appropriate.

Section 9-9 Administrative decisions and grounds

An administrative decision shall be made as soon as possible after the meeting to discuss the case. Grounds for the decision shall be given according to the rules of the Civil Procedure Act concerning grounds for judgments.

The notification of the decision shall call attention to the right of review pursuant to section 9-10.

Section 9-10 Review of decisions of the county social welfare board

Decisions of the board may be brought before the district or the city court by the private party or the municipality. The municipality is a party to the case. Concerning the right of a child to bring legal action, section 8-3, second paragraph, applies.

The district or the city court shall sit with two co-judges appointed by the judge. If the judge appoints lay judges, they shall be selected from the committee of laymen.

The time limit for bringing an action is two months from the day when the person entitled to bring an action received notification of the decision. If he or she fails to observe the time limit, reinstatement of the case may be granted pursuant to the rules of the Courts of Justice Act.

An appeal against a judgment by the district or the city court lies to the Court of Appeal. The Court of Appeal shall sit with two professional and two lay judges appointed by the court. The lay judges shall be selected from the committee of laymen.

The municipality shall cover its own costs in the case. The state will cover all other costs of the case. A party may only be made liable for another party's costs if this is warranted by special grounds.

Otherwise chapter 33 of the Civil Procedure Act applies correspondingly to the review of these cases as appropriate.

Section 9-11 Amendment of decisions of the county social welfare board

A request by the private party for an amendment of a decision of the county social welfare board may be decided by the chairperson of the board without oral proceedings if he finds that no new information of any significance has been put forward.

Section 9-12 Regulations regarding procedure

The King may issue supplementary regulations regarding procedure.