

Act relating to universities and university colleges

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| Date | LOV-2005-04-01-15 |
| Ministry | Ministry of Education and Research |
| Most recently amended | LOV-2018-06-22-85 from 1 August 2018 |
| Published | In 2005, booklet 4 |
| Entered into force | 1 August 2005 |
| Amends | LOV-1986-07-11-53 , LOV-1995-05-12-22 |
| Announced | 1 April 2005 |
| Amended | 15 September 2016 (Section 10-2) |
| Short title | The University and University Colleges Act |

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Part I. Joint provisions

Chapter 1. Purpose and scope of the Act

Section 1-1. *Purpose of the Act*

The purpose of this Act is to make provisions for universities and university colleges to

- a) provide higher education at a high international level;
- b) conduct research and academic and artistic development work at a high international level;
- c) disseminate knowledge of the institution's activities and promote an understanding of the principle of academic freedom and application of scientific and artistic methods and results in the teaching of students, in the institution's own general activity as well as in public administration, in cultural life and in business and industry.

Amended by [Act of 14 Dec 2007 no. 117](#) (effective 1 Jan 2008 pursuant to [Decree of 14 Dec 2007 no. 1440](#)).

Section 1-2. *The scope of the Act - universities and university colleges*

(1) The Act must apply to universities and university colleges that provide education accredited pursuant to this Act or that have obtained institutional accreditation, cf. Section 3-1, as

- a) a university,
- b) a specialized university institution or
- c) a university college.

(2) The category to which an individual institution belongs will be decided by the King on the basis of an accreditation assessment by the Norwegian Agency for Quality Assurance in Education (NOKUT).

(3) The King may, on the basis of an accreditation assessment by NOKUT, decide that certain provisions of this Act will apply correspondingly to other institutions.

(4) The Ministry may, on the recommendation of the board, decide that deviations may be made from provisions of this Act and from regulations laid down pursuant to the Act in connection with time-limited educational or organizational pilot schemes.

(5) The Act must apply to universities and university colleges with activities in the Realm. The Act must apply to Svalbard and Jan Mayen unless otherwise prescribed by the King. The King may lay down special provisions out of regard for local conditions.

(6) The Act will not apply to activities conducted outside the Realm. The King may nevertheless decide that such activities must wholly or partly be made subject to the provisions of the Act.

(7) By agreement with a foreign state or international organization, the scope of the Act may be extended or restricted within specific fields.

Section 1-3. *The institutions' activities*

Universities and university colleges must promote the purpose of the Act by:

- a) providing higher education based on the foremost within research, academic and artistic development work, and experience-based knowledge;
- b) conducting research and academic and artistic development work;
- c) efficiently managing the resources provided and actively seeking external resources;
- d) helping to disseminate and communicate the results of research and of academic and artistic development work;
- e) contributing to innovation and value creation based on results from research and academic and artistic development work;
- f) facilitating participation in the public debate by the institution's staff and students;
- g) helping to ensure that Norwegian higher education and research are at the forefront of international research and of developments within higher education;
- h) cooperating with other universities, university colleges and corresponding institutions in other countries, local and regional civic and working life, public administration and international organizations;
- i) providing continuing and further education in the institution's field of accreditation.

Section 1-4. *The special responsibilities of certain institutions*

- (1) Universities and university colleges have a special responsibility for basic research and research training in the fields in which they award doctorates.
- (2) The University of Bergen, the University of Oslo, the University of Tromsø - the Arctic University of Norway, the Norwegian University of Science and Technology, and the University of Stavanger have a special national responsibility for developing, managing and maintaining museums with scientific collections and public exhibitions. The Ministry may issue further regulations concerning cooperation and division of responsibilities between the universities in this area.
- (3) The Ministry may assign certain institutions a special national responsibility for research or education in specific fields. In the same way, the Ministry may assign certain institutions special national responsibility for developing, managing and maintaining research libraries, knowledge repositories and databases, as well as museums with scientific collections and public exhibitions for specific fields.
- (4) The Ministry may, in consultation with the institution concerned, place the management of a common national operation at a specific institution without the institution's own governing body being made responsible for the academic activities involved.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 1-5. *Academic freedom and responsibility*

(1) Universities and university colleges must promote and safeguard academic freedom. The institutions are responsible for ensuring that teaching, research and academic and artistic development work maintain a high professional level and are conducted in accordance with recognized scientific, artistic, educational and ethical principles.

(2) In other respects, universities and university colleges are entitled to establish their own academic and value basis within the framework laid down in or pursuant to law.

(3) Universities or university colleges may not be instructed regarding

a) the academic content of their teaching and the content of research or artistic or academic development work.

b) individual appointments.

(4) Each person teaching at institutions subject to this Act has an independent academic responsibility for the contents and plan for the teaching within the framework that is determined by the institution or that follows from statutes or regulations pursuant to statutes.

(5) A person appointed to a position where research or academic or artistic development work is part of the duties, is entitled to choose the topic and method for his/her research or development work within the framework that follows from the employment contract or a special agreement.

(6) Universities and university colleges must ensure transparency regarding the results of research or academic or artistic development work. Anyone appointed to a position as mentioned in the fifth subsection is entitled to publish their results and must make sure such publication takes place. The relevant research basis must be made available in line with good practice in the field. The board may consent to postponed publication when required for legitimate reasons. No permanent restrictions in the right to publish results can be agreed or stipulated beyond what follows from statute or pursuant to statute.

Amended by [Act of 14 December 2007 no. 117](#) (effective 1 January 2008 pursuant to [Decree of 14 December 2007 no. 1440](#)).

Section 1-6. *Quality assurance*

Universities and university colleges must have a satisfactory internal system for quality assurance that will ensure and further develop the quality of the education. Student evaluation of courses must be included in the system for quality assurance.

Amended by [Act of 17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no. 683](#)).

Section 1-7. *Responsibility for maintaining and further developing Norwegian academic language*

Universities and university colleges are responsible for maintaining and further developing Norwegian academic language.

Added by [Act of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree of 19 June 2009 no. 676](#)).

Chapter 2. The Norwegian Agency for Quality Assurance in Education - NOKUT

Section 2-1. *NOKUT's responsibilities and authority*

- (1) NOKUT is a state agency that has professional autonomy when carrying out its duties stipulated in the third and fourth subsections.
- (2) The purpose of NOKUT's activity is to monitor the quality of higher education and tertiary vocational college education, grant general recognition of foreign higher education qualifications and promote quality development that ensures a high international level in the education provided by the institutions. NOKUT's work must help foster public trust in the quality of Norwegian higher education, tertiary vocational college education and recognised higher education from abroad. In its work, NOKUT must seek to assist the institutions in their development work.
- (3) NOKUT must accredit institutions and the courses they provide, monitor the institutions' quality work and supervise that institutions and existing courses meet current standards and accreditation criteria. NOKUT must also provide a general recognition of foreign education. NOKUT may use other policy instruments and implement other measures as long as they are in accordance with the purpose for NOKUT's activity.
- (4) NOKUT must conduct evaluations of significance for assessing the quality of higher education. The Ministry may order NOKUT to conduct such evaluations. All evaluations conducted by NOKUT are public, and NOKUT must contribute to them being made known.
- (5) NOKUT's decisions regarding private institutions may by means of regulations be exempt from the provisions in Chapter VI of the Public Administration Act.
- (6) The Ministry may issue regulations concerning
 - a) Requirements for quality assurance systems and quality work;
 - b) Standards and criteria for accreditation of institutions and study programmes;
 - c) Procedural rules for NOKUT's activity.

NOKUT may issue more detailed regulations concerning the same topics.

Amended by [Acts of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree 17 June 2016 no. 683](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 2-2. *NOKUT's board*

- (1) NOKUT is governed by a board that has overall responsibility for NOKUT's activities and the decisions made by NOKUT.
- (2) The board is appointed by the Ministry and consists of nine members. One member must be a student at a university or university college, and one member must be a student at a tertiary vocational college. One member must be appointed from among NOKUT's staff and have the right to vote in matters concerning the staff.

Deputy board members must be appointed, including personal deputy board members for the staff and student members. The Ministry must appoint the chair of the board.

(3) The board's term of office is four years. Student members are appointed for two years.

(4) Members of the board may not hold leading positions or office at institutions that are subject to this Act.

(5) The board appoints NOKUT's director for a fixed term. The fixed term must be six years.

Amended by [Acts of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree 17 June 2016 no. 683](#)).

Chapter 3. Academic provisions – accreditation

Section 3-1. *Accreditation of study programmes and institutions*

(1) Accreditation is understood in the present Act as an assessment of whether a higher education institution or a study programme fulfils the standards and criteria stipulated by the Ministry and NOKUT. Accreditation is a precondition for the provision of higher education. Accredited study programmes must comply with the National Qualifications Framework. Study programmes offered by new providers may only be accredited if the programme leads to at least a bachelor's degree.

(2) NOKUT's accreditation of institutions and study programmes must be based on an evaluation conducted by external experts appointed by NOKUT.

(3) Educational institutions accredited pursuant to Section 3-3 first and second subsection may themselves accredit new study programmes in line with their academic authority. The institutions' accreditation must be based on standards and criteria as mentioned in the first subsection, and the assessment of the study programmes must be documented.

(4) If NOKUT finds that an institution or a course no longer meets the stipulated standards and criteria, a time limit must be given for correcting the matters. If the standards and criteria have still not been met, NOKUT must withdraw its accreditation of the institution or course.

Amended by [Act of 17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no. 683](#)).

Section 3-2. *Degrees, professional qualifications and titles*

(1) The King decides which degrees and professional qualifications an institution may award, the length of time in which it should be possible to complete the relevant programme of study, and which title each degree or professional training qualification confers the right to. The Ministry may issue regulations concerning a national qualifications framework and concerning the institutions' right to joint degrees and professional qualifications in cooperation with other institutions. The Ministry may issue regulations concerning requirements regarding higher degrees and the required amount of independent work in higher degrees.

(2) The Ministry may lay down national curriculum regulations for certain study programmes.

- (3) The Ministry may stipulate that a mandatory national part-examination will be held in certain subjects or courses, and whether the result will be recorded on the degree diploma.
- (4) The Ministry may stipulate that specific courses of up to 20 credits will form part of a degree programme.
- (5) An institution that has a right to award doctorates or corresponding degrees, may in the same fields award honorary doctorates (doctor honoris causa) for important scientific or artistic contributions, or outstanding work for the benefit of science or art.
- (6) The Ministry may, by regulation or individual decision, prohibit the use of titles which give a false impression of being of the same nature as titles protected pursuant to the first or fifth subsection or which are, in a misleading manner, likely to be confused with them.
- (7) The deliberate or negligent award or use of a title, alone or as part of another title, by someone who has no right to it pursuant to the first or fifth subsection, or in contravention of a prohibition stipulated pursuant to the sixth subsection, is punishable by violation fines issued by the Ministry. Such fines may be imposed on an enterprise even though no individual is guilty as described in the first sentence. The Ministry may issue regulations concerning the issue, size, due date, appeal, review and reduction of a violation fine. A final decision regarding a violation fine forms the basis for enforcement of debt.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree 17 June 2016 no. 683](#)).

Section 3-3. Academic authorization

- (1) Institutions accredited as universities have the authority to themselves accredit the courses they will provide.
- (2) Institutions accredited as specialized university institutions or university colleges have the authority to themselves accredit the courses they will provide at a lower degree level. In fields where such institutions have the right to award doctorates or corresponding degrees, they may themselves accredit courses they will offer at a lower or higher degree level. In fields where the institutions do not have the right to award doctorates, they must apply to NOKUT for accreditation of courses at a higher degree level.
- (3) The board approves the programme description for the academic content of the study programmes, including provisions concerning required courses, practice and the like and concerning forms of assessment.
- (4) Authorities granted pursuant to the first and second subsections may be withdrawn by the Ministry if the institutions do not have a satisfactory quality assurance system which ensures and further develops the quality of education.

Amended by [Act of 17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no. 683](#)).

Section 3-4. General recognition

NOKUT decides, upon application from individuals, whether education from a foreign higher educational institution or a Norwegian institution not subject to this Act, will be granted general recognition so that the education in level and scope is recognized as on a par with accredited Norwegian higher education. The appeals body cannot review NOKUT's assessment of the level and scope of the completed education.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no 683](#)).

Section 3-5 Academic recognition

- (1) Universities and university colleges that offer accredited study programmes pursuant to this Act, must credit courses, subjects or tests that have been passed at other universities and university colleges which offer accredited study programmes with the same number of credits, to the extent they meet the academic requirements for a particular examination, degree or education at the institution. The institution concerned must ensure that double credit is not awarded for the same academic content in the same degree.
- (2) Universities and university colleges that offer accredited study programmes pursuant to this Act, may grant exemptions for parts of the study programme on the basis of another appropriate examination or test. Documented prior learning (formal, informal and non-formal) may also provide the basis for an exemption. The Ministry may instruct the institutions to coordinate their practice.
- (3) Universities and university colleges that are accredited pursuant to this Act, must themselves decide applications from individuals for recognition of other higher education as academically equivalent to education provided by the institution. Recognition pursuant to this provision gives the right to use the title established for the education to which equivalence is granted.
- (4) In special cases, recognition pursuant to the third subsection may be granted wholly or partly on the basis of competence documented in other ways than by examinations. Applicants may be required to take tests to check the documented competence or to take supplementary tests.
- (5) NOKUT is responsible for communicating information regarding the institutions' decisions to recognize higher education pursuant to the third subsection and must facilitate a consistent national practice.
- (6) When assessing a foreign doctorate in other cases than in an application for a vacant position at the institution, the board of the institution may decide that the applicant must pay the institution's costs for conducting the assessment.
- (7) The Ministry may issue regulations concerning recognition, procedures and right of appeal pursuant to this section.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no 683](#)).

Section 3-6. *Requirements for admission to higher education*

- (1) The general basis for admission as a student (the higher education entrance qualification) is successful completion of the Norwegian upper secondary school and fulfilment of the requirements regarding subject combinations and hours of study laid down by the Ministry. The Ministry may stipulate that other suitable education or combinations of education and work experience will constitute a general basis for admission. The institution must consider whether applicants hold qualifications corresponding to the stipulated admission requirements.
- (2) The institutions may grant applicants who are 25 years of age or older in the admission year, admission to specific courses if they on the basis of their prior learning (formal and non-formal) hold the necessary qualifications for the course concerned. The Ministry may issue further provisions concerning documentation, procedures and any coordination.
- (3) The Ministry may stipulate in regulations that the institutions in special cases may make exceptions from the provision concerning the higher education entrance qualification for applicants under 25 years of age.
- (4) The Ministry may in regulations exempt particular courses or subjects from the higher education entrance qualification.
- (5) The Ministry may in regulations impose special admission requirements when this is required to complete the course of study.
- (6) Those admitted to one institution under the present Act are entitled to admission to open courses of study at the others, provided the admission requirement is the higher education entrance qualification and the applicant was not admitted pursuant to the second, third or fourth subsection.
- (7) The board may stipulate minimum academic requirements for admission to higher degree courses.

Section 3-7. *Student admission*

- (1) The Ministry may issue regulations concerning national coordination of admissions.
- (2) The Ministry may issue regulations concerning consideration of appeals and ranking of applicants.
- (3) There must be a separate admission to higher degree courses.
- (4) The Ministry may impose a restriction on admissions when it is found necessary following a total assessment of educational provision in Norway.
- (5) When necessary for capacity or resource reasons, the board itself may restrict admission to particular courses or parts of courses within the guidelines and objectives issued by the Ministry.
- (6) The use of forged diplomas or other forged documents is prohibited. The same applies for documents issued by fake institutions. The Ministry may issue regulations with more detailed provisions as to what is considered forged

diplomas, forged documents, or documents issued by fake institutions pursuant to this provision.

- (7) If an institution subject to this Act, or NOKUT or the Norwegian Universities and Colleges Admission Service (NUCAS) discovers that a student has submitted a forged diploma or other forged documents or documents issued from a fake institution, the matter must be reported to the police.
- (8) A person who has applied for admission or recognition pursuant to Sections 3-4 and 3-5 by using a forged diploma or other forged documents or documents issued from a fake institution, will have the documents in question confiscated and will not be granted admission or have his or her education recognized for up to one year. Decisions regarding confiscation and decisions regarding the period of quarantine pursuant to this provision will be made by the board itself or the institution's appeals committee with two thirds majority. The Ministry or a special body of appeal appointed by the Ministry, cf. Section 5-1 seventh subsection, is the appeals body.
- (9) If an institution has recruited foreign students by means of external placement services, the institution is responsible for
 - a) ensuring that the students have received satisfactory information concerning the courses to which they have been admitted, including the course structure, the nominal duration of the course and academic prerequisites;
 - b) ensuring that the student has received satisfactory information concerning the educational institution, including information concerning the institution's various facilities for students;
 - c) knowing how the student has been recruited and on what conditions the service has been provided to the student.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 3-8. *Teaching*

- (1) The academic year is normally 10 months. Teaching terms will be decided by the board. A full academic year must be equivalent to 60 credits.
- (2) Lectures are as a general rule open to the public. If the nature of the lectures so indicates, or if fees are prescribed for the study programme or course concerned, the board may nevertheless decide that certain lectures will only be open to the institution's students or certain groups of student.

Section 3-9. *Examinations and grading*

- (1) Universities and university colleges must ensure that students' knowledge and skills are tested and assessed in a manner that is impartial and academically sound. The assessment must also safeguard the academic standards of the course of study in question. An external evaluation must be made of the assessment or assessment arrangements.

- (2) The board must appoint examiners for examinations, tests, assessment of assignments or other assessments when the results are entered on the diploma or included in the grade given for the course of study. At least two examiners, and at least one of them external, must assess a candidate's independent work in higher degree courses. Written guidelines for examiners must be prepared for all examinations.
- (3) The oral part of examinations and tests must be open to the public unless regard for the examination or test arrangements indicates otherwise. The board may make exceptions to the rule concerning public examinations in particular cases at the request of the examination candidate, when weighty reasons so indicate.
- (4) The examination result must be made known within three weeks unless for special reasons more time is required. The board may itself make exceptions in respect of specific examinations and may in temporary regulations pursuant to the seventh subsection set a longer time limit when it is impossible to provide the number of qualified examiners required to complete the grading within three weeks. The board may itself in a regulation pursuant to the seventh subsection set a longer time limit for dissertations and similar larger written works.
- (5) Re-grading pursuant to Sections 5-2 and 5-3 must be carried out by at least two new examiners, of whom at least one must be external. Grades may be changed in the appellant's favour and disfavour. If the final grade is set on the basis of both a written and an oral test and the grade is changed after the re-grading of the written part of the examination, a new oral test must be held to determine the final grade.
- (6) The grade awarded following an examination, test, assessment of an assignment or other assessment must either be pass/fail or be based on a scale of five grades from A to E to indicate a pass and F for fail.
- (7) The board itself issues regulations governing the taking and arrangement of examinations and tests, including the conditions for resitting an examination or test and for permission to retake a practice period, and provisions concerning registration and the conditions for registration for examinations. In the case of courses for which national curriculum regulations have been established pursuant to Section 3-2, second subsection, the regulations must be based on any general provisions concerning examinations and assessment contained in the curriculum regulations. The board may delegate to a faculty or department to issue supplementary provisions concerning special circumstances relating to particular examinations.

Amended by [Acts of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 3-10. *The right to sit examinations*

- (1) Anyone who satisfies the admission requirements, cf. Section 3-6, and other requirements for taking the examination in a given study programme or course of study, is entitled to take the examination. This also applies to students who have not been admitted to the study programme or course of study.

- (2) Permission to register for an examination pursuant to this section may be refused if the candidate has not attended required courses or completed required practice.
- (3) The board issues regulations concerning permission to sit examinations, and may stipulate a separate final registration date for a candidate who sits an examination without having been admitted as a student.
- (4) The board may decide that examination candidates who have not been admitted as students on the course concerned, must pay a fee to cover the extra expenses incurred by the institution in holding examinations for this group of candidates or any fees prescribed for the course or study programme. The Ministry may issue regulations concerning fees pursuant to this provision.

Section 3-11. *Diplomas*

- (1) The institution must issue a diploma for a completed course. At the same time, a Diploma Supplement must be issued. NOKUT may issue guidelines for the content of the Diploma Supplement.
- (2) A person who has not completed their education, must on request be provided with transcripts of the grades he or she obtained in examinations or tests passed.
- (3) In the case of candidates who sit examinations pursuant to Section 3-10, first subsection, second sentence, it must be indicated on the diploma or transcript if the candidate's knowledge and skills have been assessed in a different way from the students who were admitted to the course.
- (4) It must be indicated on the diploma if the education has been provided in cooperation with other institutions, cf. Section 3-2, first subsection.
- (5) When issuing diplomas, the institution must grant authorization to health personnel, in so far as this is provided in regulations issued pursuant to the Act of 2 July 1999 No. 64 relating to health personnel.

Chapter 4. The students' rights and obligations

Section 4-1. *Student bodies*

- (1) The students attending universities and university colleges may establish a student body to safeguard the interests of students and present their views to the board of the institution. Students at individual faculties or departments may similarly establish student bodies there.
- (2) Elections to bodies as mentioned in the first subsection must be by ballot among the students unless unanimously decided otherwise by a general meeting. A decision to adopt a voting system other than ballot will only apply to the immediately subsequent election.
- (3) Institutions must provide conditions in which student bodies are able to perform their functions in a satisfactory manner. The extent of such arrangements

must be specified in an agreement between the institution and the highest student body.

(4) Student bodies must be heard in all questions concerning students at the relevant level.

Section 4-2. Individual education plan

Between the institution and students admitted to courses of 60 credits or more, an individual education plan must be prepared. The education plan must contain provisions concerning the institution's responsibility and obligations to the student and the student's obligations to the institution and fellow students. The Ministry may issue regulations concerning the content of the education plan.

Section 4-3. *Learning environment*

(1) The board has the overall responsibility for the students' learning environment. In cooperation with student welfare organizations, the board must seek to provide suitable conditions for a good study environment and to enhance student welfare at the educational institution. The board must within its area of responsibility work to prevent and stop harassment and sexual harassment, cf. section 13 of the Equality and Anti-Discrimination Act.

(2) The board is responsible for ensuring that the learning environment at the institution, including the physical and psychological working environment, is fully satisfactory on the basis of an overall assessment of considerations regarding the health, safety and welfare of the students. The design of the physical working environment must as far as possible and reasonable, ensure

- a) that premises, access roads, staircases, etc. are dimensioned and equipped for the activities that take place there.
- b) that the premises have satisfactory lighting and acoustics and a sound indoor climate and air quality.
- c) that the premises are properly maintained and are clean and tidy.
- d) that the premises are equipped so as to avoid detrimental physical strain for the students.
- e) that activities are planned so as to prevent injuries and accidents.
- f) that technical installations and equipment are provided with protective devices and are maintained so as to protect students from danger to life and health.
- g) that premises, access roads, sanitary facilities and technical installations are designed in such a way that people with disabilities can study at the institution.
- h) that the learning environment is well adapted for students of both sexes.
- i) that the learning environment is designed according to the principles of universal design.

The Ministry may in regulations lay down further provisions concerning requirements regarding the learning environment.

(3) The institution must have a learning environment committee to assist in ensuring implementation of the provisions laid down in the first and second subsections. The committee must take part in the planning of measures relating to the learning environment and closely follow developments in matters concerning the safety and welfare of the students. The board may also assign other duties to the committee. The learning environment committee must be kept informed of complaints concerning the learning environment that the institution receives from students. The learning environment committee may make statements concerning such matters. The learning environment committee must be informed of instructions and other individual decisions issued by the Norwegian Labour Inspection Authority. The learning environment committee reports directly to the board and must submit a report each year concerning the institution's work on the learning environment. The students and the institution must each have an equal number of representatives on the committee. The committee must elect a chair each year alternately from among the institution's and the students' representatives.

(4) The institution's work on the learning environment must be documented and be included as part of the institution's internal systems for quality assurance pursuant to Section 1-6.

(5) Students with a disability and students with special needs are entitled to suitable individual adaptation of the learning environment, teaching, teaching materials and examinations, in order to ensure equal training and education opportunities. This right concerns adaptations that do not place a disproportionate burden on the educational institution. When determining this, special attention must be paid to the effect of the adaptations in removing barriers for the students in question, the costs of the adaptations and the institution's resources. Institutions on Svalbard must, to the extent possible and reasonable, adapt the study conditions to suit students with special needs. This adaptation must not result in a reduction of the academic requirements in the individual courses.

(6) The Norwegian Labour Inspection Authority supervises compliance with the requirements laid down in the second subsection. The provisions of chapter 18 of the Working Environment Act concerning supervision and coercive measures, etc. will apply correspondingly in so far as they are applicable. The Ministry may issue regulations containing supplementary provisions concerning supervision and coercive measures in order to promote compliance with this section.

Amended by [Act of 21 Dec 2005 no. 121](#) (effective 1 Jan 2006).

Section 4-4. *The students' representation in the institution's bodies*

(1) The students must have at least 20 per cent of the representatives on all collegiate bodies that are given decision-making powers. In cases where this constitutes no more than one member, the students must have the right to an additional student representative with the right to speak and to submit proposals.

- (2) The provision of the first subsection may be departed from if the delegating body unanimously decides otherwise.

Section 4-5. *Right to parental leave*

(1) A student who has a child while studying, must be granted leave of absence from the institution during the pregnancy and to care for the child. The student retains his/her status as a student at the institution during the leave, and has the right to resume his/her studies at a level corresponding to that attained prior to the leave. A student who is pregnant, is entitled to have the examination postponed if the examination date falls in the period between three weeks before the baby is due and six weeks after the birth. The father is entitled to a postponed examination if the examination date falls in the two weeks after the birth. The institutions may issue further regulations concerning postponed examinations. The provisions of Sections 12-1 to 12-5 and Section 12-7 of the Working Environment Act will apply in so far as they are appropriate.

(2) Universities and university colleges must make provisions to enable students on leave pursuant to the first subsection to resume their studies as rapidly as possible following their leave.

Amended by [Acts of 21 Dec 2005 no. 121](#) (effective 1 Jan 2006), [12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 4-6. *Students' duty of confidentiality*

A student who in connection with his or her studies acquires knowledge of someone's personal circumstances, has a duty of confidentiality in accordance with the rules that apply to professional practitioners in the vocation concerned. The institution must draw up a declaration of confidentiality, which must be signed by the students to whom this applies.

Section 4-7. *Annulment of examinations or tests*

(1) The board itself or the institution's appeals committee, cf. Section 5-1, may annul an examination or test or accreditation of a course if the student

- a) by using a forged diploma or by other dishonest means, has gained admission to the examination or test or to attend the course concerned, or
- b) has intentionally attempted to cheat or intentionally or through gross negligence has cheated in connection with the examination or test or prior to the final grading of the examination or test, or while taking the course in question.

(2) The board itself or the institution's appeals committee, cf. Section 5-1, may annul credit for or recognition of a course, or exemption from an examination or test, if the student obtained it by using a forged diploma or by other dishonest means.

- (3) Annulment decisions pursuant to the first and second subsections may be appealed to the Ministry or to a special appeals body appointed by the Ministry, cf. Section 5-1, seventh subsection.
- (4) The right to annulment has no time limit.
- (5) An annulment decision entails an obligation to return any diploma or transcript of grades to the institution. If such diploma or transcript is not returned to the institution at the proper time, the institution may obtain the assistance of an enforcement officer (*namsmann*) to secure its return, pursuant to the provisions laid down in Chapter 13 of the Enforcement Act.
- (6) If the diploma can form the basis of authorization for the exercise of a profession or trade, the institution must notify the authority concerned of the annulment.

Amended by [Acts of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 4-8. *Exclusion and expulsion*

- (1) A student who despite a written warning from the board repeatedly behaves in a manner which seriously disturbs the work of fellow students or other activities at the institution, may, following a decision by the board itself or the institution's appeals committee, cf. Section 5-1, be expelled from specific parts of the institution for up to one year. If a student after receiving a written warning from the board continues not to respect such expulsion, the board itself or the institution's appeals committee, cf. Section 5-1, may exclude him or her from attending courses and from sitting examinations at institutions under this Act for up to one year.
- (2) A student who has behaved in such a seriously unacceptable manner that it has endangered the life or health of patients, clients, children in kindergarten, pupils or others with whom the student comes into contact in connection with clinical or practical training, or who in relation to such persons commits serious breaches of the obligation to observe secrecy or behaves with gross indecency, may, if the board itself or the institution's appeals committee so decides, cf. Section 5-1, be excluded from courses with clinical or practical training and be deprived of the right to sit examinations in these courses at institutions under this Act for up to three years. The institution must inform the Norwegian Directorate for Health and Social Welfare of any exclusion pursuant to this provision which concerns students attending courses that may lead to authorization pursuant to Section 48, first subsection, of the Health Personnel Act.
- (3) A student who has behaved as described in Section 4-7, first or second subsection, or who has intentionally contributed to it, may, if the institution's appeals committee so decides, cf. Section 5-1, be excluded from the institution and deprived of the right to sit examinations at institutions under this Act for up to one year. This opportunity to exclude students does not apply to PhD students employed at the institution where the PhD will be awarded.
- (4) A decision to expel or exclude a student requires a majority of at least two-thirds. The student may appeal against such a decision pursuant to the provisions laid down in the Public Administration Act. The Ministry or a special appeals body appointed by the Ministry, cf. Section 5-1 seventh subsection, is the appeals body.

(5) The student is entitled to seek the assistance of a lawyer or other spokesperson from the date the question of expulsion or exclusion is raised, or from the date of any written warning pursuant to the first subsection. The expenses for this are covered by the institution, according to rates determined pursuant to Regulations relating to lawyers' fees from the state etc. of 3 December 1997 no. 1441 (*salærforskriften*). Should the board itself, or the institution's appeals committee, cf. Section 5-1, find that more time has been spent than what is reasonable and necessary, the fee may be reduced. A decision to reduce the fee may be appealed to the Ministry or a special appeals body appointed by the Ministry, cf. Section 5-1 seventh subsection.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 4-9. *Exclusion owing to criminal offences – police certificate of good conduct*

(1) In courses where students may come into contact with minors as part of their clinical or practical training, students may on admission to or during the course be required to submit certificates of good conduct issued by the police, as stipulated in Section 39 first subsection of the Act relating to police records.

(2) If special provisions have been laid down concerning certificates of good conduct in respect of certain types of occupation, they will apply correspondingly to students taking part in practical or clinical training.

(3) A person who has been convicted or has accepted a fine on grounds which imply that they must be regarded as unfit for work with patients, clients, children in kindergarten, pupils or others, may be excluded from practical or clinical training if such participation must be regarded as unwarrantable because of the contact the student would have with such persons in that connection.

(4) A person charged or indicted with a criminal offence as described in Section 39 first subsection of the Act relating to police records or in a police certificate of good conduct pursuant to the second subsection, may be excluded from practical or clinical training until a final judgment has been pronounced or the case has been dropped, if this is necessary out of regard for the safety or the treatment environment of patients, clients, children in kindergarten, pupils or others with whom the student will come into contact in that connection.

(5) Having obtained the opinion of the institution, the institution's appeals committee, cf. Section 5-1, decides whether or not to exclude the student from participation in clinical or practical training. Section 42 of the Public Administration Act applies correspondingly.

(6) The Ministry or a special appeals body appointed by the Ministry, cf. Section 5-1, seventh subsection, is the appeals body for decisions made by the committee.

(7) The student is entitled to seek the assistance of a lawyer or other spokesperson from the date the question of exclusion from clinical training or practical training is raised in the institution's appeals committee. The expenses for this are covered by the institution in accordance with Section 4-8 fifth subsection.

(8) The Ministry issues regulations concerning administrative procedures in the case of exclusion due to a criminal offence.

Amended by [Acts of 21 June 2013 no. 82](#) (effective 1 Jan 2014 pursuant to [Decree 27 Sep 2013 no. 1132](#) as amended by [Decree 13 Dec 2013 no. 1149](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), but (5) from 1 Jan 2015 pursuant to [Decree 20 June 2014 no. 817](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 4-10. *Exclusion following a suitability assessment*

- (1) The King may decide that for certain courses, the institution must assess whether each student is suited for the profession concerned. The suitability assessment must be carried out continuously throughout the course.
- (2) The diploma certifying completion of the course must only be awarded to students assessed as being suitable for the profession.
- (3) On the recommendation of a special suitability committee, the board itself or the institution's appeals committee, cf. Section 5-1, may decide that a student is unsuited for the profession. Students found unsuited for the profession may be excluded from the course.
- (4) The decision to exclude a student on grounds of unsuitability requires a majority of at least two-thirds. The decision may be appealed by the student pursuant to the provisions laid down in the Public Administration Act. The Ministry or a special appeals body appointed by the Ministry, cf. Section 5-1, seventh subsection, is the appeals body.
- (5) The student is entitled to representation by a lawyer or other spokesperson from the date the case is brought before the suitability committee. The expenses for this are covered by the institution pursuant to Section 4-8 fifth subsection.
- (6) The Ministry issues regulations concerning suitability assessments for individual courses.

Amended by [Act of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 4-11. *Review of exclusion decisions by a court of law*

- (1) Students may have a decision concerning expulsion or exclusion or an assessment of suitability reviewed by the district court of the jurisdiction in which the institution's head office is located. Such a lawsuit must be brought within three months following the final decision.
- (2) No mediation proceedings will be conducted. The institution meets all the costs of the case before the district court, including the plaintiff's lawyer's fees, pursuant to Section 4-8 fifth subsection.
- (3) The court may review every aspect of the decision.

Amended by [Act of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 4-12. *Register for exchange of information concerning excluded students*

- (1) The register of excluded students (Register for utestengte studenter - RUST) is a government register that ensures efficient exchange of information. The information in the register is made available to universities, university colleges, NUCAS

(Norwegian Universities and Colleges Admission Service) and NOKUT when it is necessary for their work. The purpose of the register is to prevent a candidate or applicant who has forfeited rights due to a decision as mentioned in the second subsection, from being given such rights at another institution.

(2) Universities and university colleges must enter in this register information about decisions pursuant to Section 3-7 eighth subsection, Section 4-8 first to third subsection and Section 4-10 third subsection, that have consequences for admission to courses and the right to take examinations at other institutions. Once the period which the decision covers has expired, the information about the decision must be deleted from the register.

(3) The Ministry stipulates regulations concerning the register, including what information must be recorded and rules for processing such information.

Added by [Act of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 4-13. *The degree of philosophiae doctor*

(1) The institution can decide to force the termination of a PhD education in the case of scientific dishonesty pursuant to Section 8 second subsection of the Act on ethics and integrity in research. The Ministry or a special appeals body appointed by the Ministry, cf. Section 5-1 seventh subsection, is the appeals body for decisions concerning forced termination pursuant to this subsection.

(2) The institution can also decide to force the termination of a PhD education when a candidate fails significantly in meeting his/her obligations under the PhD agreement. The institution's appeals committee is the appeals body for decisions concerning forced termination pursuant to this subsection.

(3) In the event of cheating at an examination or tests during the PhD education, the institution may consider whether the examination or tests should be annulled pursuant to Section 4-7 first subsection, or whether the matter is so serious that it warrants forced termination pursuant to the first and second subsection.

(4) If an appeal is lodged over refusal to approve a doctoral thesis, the appeal must be considered by the institution's appeals committee.

(5) The board stipulates regulations for the PhD education, including rules regarding forced termination.

Added by [Act of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), amended by [Act of 28 Apr 2017 no. 23](#) (effective 1 May 2017 pursuant to [Decree 28 Apr 2017 no. 505](#)).

Section 4-14. *National diploma and grade portal (Diploma Registry)*

(1) The national diploma and grade portal must ensure truthful information on diplomas and transcripts of records and prevent the use of forged diplomas and transcripts. The State, represented by the Ministry, is the owner of the portal.

(2) A person's personal identity number, D number and information that can identify the educational institutions which have information about this person's educational performance in their databases, are entered in the portal automatically, whether or not the person in question has started using the portal. Diplomas and grades must only be obtained from the educational institution when the person in question has started using the portal. The person in question determines who may be given access to the

information in the portal, what information they may be given access to, and for what period.

(3) The administrative body which is responsible for the Diploma Registry, is also the data controller of the personal data in the portal. The Ministry may issue regulations concerning the portal, inter alia on what information must be registered, and how the information must be processed.

Added by [Act of 17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree 17 June 2016 no. 683](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree 15 June 2018 no. 892](#)).

Section 4-15. *Obtaining and processing personal data in course management systems*

(1) The educational institution may process personal data regarding an applicant, student or PhD candidate when the purpose of the processing is to safeguard the rights of the data subject, or to fulfil the institution's tasks and duties under the Act relating to universities and university colleges.¹

(2) The educational institution may process information about a person's names, personal identity number, temporary personal identity number, D number and grades from upper secondary education and universities and university colleges obtained from government authorities, public diploma systems, state, county-municipal and private educational institutions when it is necessary to fulfil the purpose mentioned in the first subsection. The information may be obtained electronically.

(3) The educational institution may also process information about health, social issues or other sensitive information which the student him/herself has given to the institution, or consented to the institutions receiving, when such information is necessary for purposes described in the first subsection. These restrictions in the institutions' permission to process information concerning health, social issues or other sensitive information do not apply for necessary processing pursuant to Sections 4-10 and 4-12.

(4) The educational institution may make a decision by means of fully or partially automated processing in its course management systems. The person such a decision concerns, may request that the educational institution review the decision manually.

(5) The educational institution may receive and process a student's police certificate of good conduct electronically in its student administration systems for courses which require the student to submit a police certificate of good conduct, cf. Section 4-9. A police certificate of good conduct that has been issued and signed electronically, can only be provided to the educational institution in digital form. The student is expected to obtain the police certificate of good conduct him/herself, and forward it to the educational institution.

(6) The Ministry may issue regulations concerning the processing and registration of personal data in student administration systems.

Added by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree 15 June 2018 no. 892](#)).

¹ This Act.

Section 4-16. *Obtaining and processing personal data in NUCAS*

(1) Norwegian Universities and Colleges Admission Service (NUCAS) is a coordinated national service which processes applications for admission to higher education. NUCAS, the educational institutions and other bodies that participate in

the coordinated admission, may process personal data about an applicant, when the purpose is to process an application for admission to higher education.

(2) The provisions in Section 4-15 second, third and fourth subsection apply correspondingly for NUCAS.

(3) The government body that is responsible for NUCAS is the controller of the personal data in the coordinated admission process. The Ministry may issue regulations concerning the processing and registration of personal data for the coordinated admission.

Added by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree 15 June 2018 no. 892](#)).

Section 4-17 Student ombudsperson

(1) The board must ensure that all students have access to a student ombudsperson.

(2) The student ombudsperson is to advise and help the students in matters concerning their study situation. The student ombudsperson must not be instructed in this work. The student ombudsperson has a duty of secrecy, cf. sections 13 to 13e of the Public Administration Act.

(3) The Ministry may issue further regulations concerning student ombudspersons.

Chapter 5. Appeals

Section 5-1. Appeals committee and special national appeals body

(1) Universities and university colleges must establish an appeals committee to deal with appeals against individual decisions and, according to the decision of the board, other appeals cases brought by the students.

(2) The appeals committee must have five members with personal deputies. The Chair and the Chair's deputy must satisfy the statutory qualification requirements for judges of the Court of Appeal (*lagdommere*). The Chair and the Chair's deputy must not be members of the institution's staff. Two members must be students.

(3) Representatives for the institution's owner and members of the institution's board may not be members of the appeals committee.

(4) The appeals committee has a quorum when the Chair or Chair's deputy and two other members are present.

(5) Decisions by the appeals committee are final.

(6) The Ministry may issue regulations concerning appeals procedures.

(7) The Ministry may establish a special national appeals body to deal with appeals against individual decisions in specific areas and decisions pursuant to the Freedom of Information Act.

Amended by Acts of [19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 5-2. Appeals regarding procedural errors in connection with examinations

- (1) Anyone who has taken an examination or test may complain of procedural errors within three weeks of the date when he or she became or should have become aware of the circumstance on which the appeal is based. Such a complaint must be submitted to the institution. The institution may set a time limit for appeals shorter than three weeks if the student did not pass a preliminary test. The time limit must not be less than one week.
- (2) If an error was committed which may have affected the student's performance or its assessment, the examination grade must be annulled. If the error can be corrected by re-grading the papers submitted, they must be re-graded. Otherwise a new examination or test must be held with new examiners. The grade awarded in a second assessment pursuant to this section may be appealed pursuant to the provisions laid down in Section 5-3.
- (3) If a request for explanation of or an appeal against a grade has been submitted, the time limit for an appeal pursuant to this section is counted from the date when the student receives the explanation or when the appeal is finally ruled on.
- (4) If the institution or the appeals body finds that formal errors were committed and that this can reasonably be supposed to have affected the performance of one or more candidates or the assessment of their performance, the decision may be taken to carry out a new assessment or to hold a new examination or test.
- (5) The board itself or the institution's appeals committee, cf. Section 5-1, is the appeals body for the institution's decisions pursuant to this provision.

Amended by [Acts of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree 17 June 2016 no. 683](#)).

Section 5-3. Appeals regarding a student's grade - right to explanation

- (1) A student is entitled to an explanation of the grade awarded for his or her performance. At oral examinations or assessments of practical skills, a request for such an explanation must be made immediately on notification of the grade. Requests for explanations of other assessments must, if the student has been informed of the grade electronically and can request an explanation in the same way, be submitted within one week after the announcement of the grade. In announcements of other kinds, the explanation must be requested within one week after the candidate learns of the grade, but never more than three weeks after the announcement of the grade.
- (2) Explanations must normally be given within two weeks after the candidate's request. The explanation must state the general principles on which the assessment was based and explain the assessment of the candidate's performance. The institution decides whether the examiner must give the explanation orally or in writing.
- (3) The written guidelines for examiners must be available to students after the grades have been decided.

(4) A student may appeal in writing against a grade awarded for his or her performance within three weeks of the announcement of the examination results. His/her performance must then be reassessed. For a group examination, each person may appeal the assessment. Any change in the grade following an appeal will only concern the appellant. In a re-grading, the examiners will not be told the original grade, the examiner's explanation for it or the student's reason for appealing. In the event of a request for an explanation of a grade or an appeal of procedural errors in the question-setting, the examination procedure or the assessment procedure, the time limit for appeals pursuant to this section is counted from the date when the student receives the explanation or when the appeal is finally ruled on. For continuous assessments, the institution may decide whether the student must submit the appeal following the assessment of a separate test, assignment or other assessment, or whether the appeal must be submitted on announcement of the result for the subject, course, or course group.

(5) Appeals may not be lodged against grades awarded for oral performance and assessment of practical training or the like which, owing to the nature of the test cannot be reviewed. The results of preliminary examinations (*forprøver*) may only be appealed against when the examination is failed. The institution may, if the announcement date for the grades is made known at the latest when the preliminary examination is held, set a shorter time limit than three weeks for appeals if the student fails the preliminary examination. The time limit for appeals cannot be less than one week.

(6) If the result of the re-grading varies from the original grading by two or more grades, the educational institution must conduct a further assessment before the final grade is determined.

(7) Grades awarded following re-grading pursuant to this section cannot be appealed.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree of 12 Dec 2008 no. 1340](#)), [19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no. 683](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree 15 June 2018 no. 892](#)).

Section 5-4. *Body for international cooperation on education*

- (1) The Ministry has established an administrative body that is to work to coordinate and promote international cooperation on education throughout the course of education. For administration purposes, this body is subordinate to the Ministry.
- (2) Individual decisions made by the administrative body concerning allocation of funds may be appealed to the body that delegated the authority to make decisions. The appeals body cannot review the discretionary assessments made by the administrative body.
- (3) The Ministry may issue regulations concerning the administrative body's case handling, mandate, organization and other administrative matters.

Added by [Act of 17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no. 683](#)), amended by [Act 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree 15 June 2018 no. 892](#)).

Chapter 6. Appointments

Section 6-1. *General*

In connection with appointments, etc. at institutions subject to this Act, the ordinary provisions of the Working Environment Act and the Civil Service Act will apply with the special provisions pursuant to this Act.

Amended by [Acts of 21 Dec 2005 no. 121](#) (effective 1 Jan 2006), [16 June 2017 no. 67](#) (effective 1 July 2017 pursuant to [Decree of 16 June 2017 no. 763](#)).

Section 6-2. *Gender equality*

Universities and university colleges must make active, targeted and systematic efforts to ensure gender equality in all categories of employment at the institution.

Section 6-3. *Advertisement of and appointments to academic positions*

- (1) Appointments to academic positions are made by the board or, when so decided by the board, by a subordinate body or by one or more appointments committees. The board must itself decide the composition of such appointments committees. Unless the board unanimously decides otherwise, the students must be represented in the appointing body.
- (2) The appointing body must itself advertise academic positions. If one sex is clearly underrepresented in the position category in the subject area in question, applications from members of that sex must be specifically invited.
- (3) Appointments to academic positions are made on the basis of a recommendation. A recommendation is made based on expert assessments in relation to the description of the position given in the advertisement and the position specification. The appointing body may decide that an interview, a trial lecture or other tests will also be conducted. The appointing body may in special cases decide that the requirement regarding expert assessment may be departed from for academic positions that are not associate professorial or professorial positions. When an expert assessment is conducted, both sexes must be represented among the experts. When the appointment is made, importance must be attached to gender equality considerations. For positions where teaching qualifications are required, a special assessment must be made of whether the applicants are so qualified. The board issues specific rules concerning the assessment, cf. however, the sixth subsection.
- (4) When special grounds so indicate, the board may make academic appointments without prior advertisement of the vacancy. Such appointments may not be made if more than one member of the board objects.
- (5) The board must itself decide who is to issue the recommendation and issue specific rules concerning recommendations, etc.
- (6) The Ministry may issue regulations concerning procedures and criteria for appointment or promotion to academic positions.

Section 6-4. *Appointment for a fixed term of years*

(1) Appointment for a fixed term of years may be used for:

- a) Rector
- b) Director
- c) Prorector
- d) heads of faculties and departments
- e) student ombudsperson
- f) post-doctoral positions
- g) research fellows
- h) research assistants
- i) residents (*spesialistkandidater*)
- j) academic positions where competence in creative or performing arts is an essential element of the competence requirements
- k) positions on tenure conditions

(2) The fixed term pursuant to the first subsection (a), (c) and (d) must be four years. No one may be employed pursuant to (a) and (c) for a continuous period of more than eight years or for more than twelve years pursuant to (d). When special grounds so indicate, the Ministry, on the recommendation of the board, may establish a fixed term other than four years.

(3) The fixed term of years for employees as referred to in the first subsection, (b), (e) and (j), may be from four to six years. No-one may be employed pursuant to this provision for a continuous term of more than twelve years.

(4) In positions pursuant to the first subsection (f) to (i), the Ministry issues regulations concerning the duration, scope and content of the work and the right to renew the appointment. The Ministry may issue regulations on how to calculate the employment period for research fellows pursuant to Section 9 of the Civil Service Act.

(5) For positions pursuant to the first subsection (k), the Ministry may issue regulations concerning terms and conditions for appointments to the positions and its duration. If the stipulated qualification requirements are met, the person must be appointed to a permanent position at the end of the fixed term of years.

Amended by [Acts of 1 Dec 2006 no. 66](#) (effective 1 Jan 2007 pursuant to [Decree 1 Dec 2006 no. 1328](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree of 17 June 2016 no 683](#)), [16 June 2017 no. 67](#) (effective 1 July 2017 pursuant to [Decree 16 June 2017 no. 763](#)).

Section 6-5. *Temporary academic appointments*

(1) If there is no applicant to a permanent academic position at a higher educational institution who, according to established conditions or the appointing authority's assessment, is clearly qualified for permanent employment, and it is unlikely that an

application will be received from a qualified applicant if the position is readvertised, an applicant may be employed for a limited period when:

- a) the possibility of temporary employment has been mentioned in the announcement of the vacancy and
- b) the applicant concerned, in the view of the appointing authority, would be able to acquire the necessary qualifications during the period of employment.

The period of employment must be stipulated by the appointing authority, and must not exceed three years. The period of employment may however be extended by a certain period required to properly evaluate the person's qualifications, but not in excess of six months. The period of employment may not be further extended, nor may the person concerned be given a new temporary appointment in the position. On expiry of the period of employment, the holder of the position is entitled to be considered for permanent employment before the position is readvertised. If the employee is not deemed to qualify for a permanent position, he or she must step down from the position without a notice period, even if he or she has been employed for more than three years.

(2) If it has not been possible to obtain applicants who satisfy the qualification requirements for the appointment pursuant to the first subsection, and, owing to the teaching situation, it is absolutely necessary to make an appointment, a temporary appointment may be made for a maximum period of three years in a lower position for which the applicant concerned satisfies the qualification requirements.

(3) Leave which the applicant concerned is entitled to pursuant to statute or collective pay agreement must not be included when calculating the appointment period pursuant to this the first and second subsection.

(4) At state universities and university colleges, a substitute for an employee who is on leave in order to be an elected or fixed-term leader, must step down from his/her position without a notice period when the regular holder of the position returns, even if the substitution has lasted more than three years. If the substitution has lasted more than three years, the person must if possible be offered another suitable position in the institution. The substitute also has preferential rights in state appointments on the same conditions as pursuant to Sections 19 and 24 of the Civil Service Act. Preferential rights to appointments in the state begin when the person steps down, and last for two years.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree 15 June 2018 no. 892](#)).

Section 6-6. *Special provisions for certain types of additional positions*

A temporary appointment may be made for up to 20 per cent of an academic position. Appointments for a fixed term of years may be made for additional positions. Fixed terms may last from two to six years. The Ministry may issue regulations concerning the duration and conditions for termination of employment.

Amended by [Act of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Section 6-7. *Exclusive right to use of certain occupational titles*

- (1) The title Professor may only be applied to positions at the highest academic or artistic level at universities and university colleges accredited as institutions or for individual courses pursuant to this Act. The Ministry may decide that other titles for academic positions must be given corresponding protection.
- (2) Provided that NOKUT confirms that an institution which does not fall within the scope of this Act provides higher education and carries out research or artistic development work at a corresponding level in one or more fields, the Ministry may decide that the title Professor and other protected titles may be used at such an institution. Assessment of qualifications must in all important respects be the same as at institutions subject to this Act.
- (3) A person who has held a position with a title protected pursuant to the first subsection for at least ten years, or who after a shorter period of service retires from such a position, has the right to continue using the title.
- (4) A person who is dismissed from his or her position or deprived of it by court order, does not have the right to use a protected title.
- (5) The deliberate or negligent use of a protected title, alone or as part of another title, is punishable by fines.

Chapter 7. Miscellaneous provisions

Section 7-1. *Fees*

- (1) State universities and university colleges may not claim fees from students for ordinary courses leading to a degree or for vocational training courses. The Ministry may in special cases, on application, approve exceptions from this provision.
- (2) The Ministry may issue regulations concerning the right of universities and university colleges to claim fees from students and to claim other expenses associated with the courses.

Amended by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)).

Section 7-2. *Protection of the names of universities and university colleges*

- (1) The King will decide the names of state universities and university colleges. Private universities and university colleges set their own name. The names of universities and university colleges must reflect the institutional categories to which the institutions belong. The name of the institution must be registered in the Central Coordinating Register of Legal Entities.
- (2) Only institutions accredited as specialized university institutions or universities may use such designations. The designation university college may only be used by institutions accredited as university colleges or accredited to provide individual courses pursuant to this Act. An institution without accreditation pursuant to this Act must not in marketing itself create a false impression of having such accreditation.
- (3) The Ministry may, by regulation or individual decision, prohibit the use of institutional designations or names that give a false impression of holding such

accreditation or that are likely to be confused with designations referred to in the second subsection.

(4) The Ministry may on application grant dispensation for established composite designations that are not likely to be confused with the designations referred to in the second subsection. The Ministry decides which designations the institutions will use in other languages.

(5) The designation university hospital may only be used by enterprises accredited as university hospitals according to more detailed rules stipulated pursuant to Section 4-1 of the Act relating to specialist health services.

(6) The deliberate or negligent use of a protected institutional designation in violation of this section is punishable by fines imposed by the Ministry. Enterprises may be given such violation fines even though no individual is guilty of wrongdoing as described in the first sentence. The Ministry may issue regulations concerning the issue, size, due date, appeal, review and reduction of violation fines. A final decision to impose a violation fine is a basis for enforcement of debt.

Amended by [Acts of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [17 June 2016 no. 69](#) (effective 1 July 2016 pursuant to [Decree 17 June 2016 no. 683](#)).

Section 7-3. *Licence to practise as a government-authorized translator*

(1) The Ministry issues licences to practise as a government-authorized translator. The Ministry may issue regulations concerning the conditions attached to such licences. The title Government-Authorized Translator may be used only by persons who have been granted a licence pursuant to this provision.

(2) The deliberate or negligent use of a title, alone or as part of another title, by someone who does not have a right to use it, is punishable by fines.

Section 7-4. *Staff of scientific collections*

A person holding a position at a scientific collection must not without the consent of the board keep private collections of the same or a similar kind, or trade in or exchange items belonging to such a collection on his or her own account.

Section 7-5. *Basic material for almanacs*

The University of Oslo will prepare the basic astronomical information necessary for the publication of almanacs and calendars in Norway.

Section 7-6. *Relationship to other legislation*

(1) The provisions concerning duty of confidentiality in Sections 13 to 13e of the Public Administration Act must apply to universities and university colleges.

(2) Decisions concerning general recognition pursuant to Section 3-4, academic recognition pursuant to Section 3-5, admission of students pursuant to Sections 3-6 and 3-7, the right to sit an examination pursuant to Section 3-10, the right to a postponed examination pursuant to Section 4-5, annulment of an examination or test pursuant to Section 4-7, expulsion and exclusion pursuant to Sections 4-8 to 4-10, enforced termination of PhD education pursuant to Section 4-13 and appeals regarding procedural errors in examinations pursuant to Section 5-2, are regarded as individual decisions pursuant to the Public Administration Act. The same applies to decisions in cases concerning adaptation pursuant to Section 4-3, decisions on grading pursuant to Section 3-9 and appeals regarding grades awarded pursuant to Section 5-3.

(3) Universities and university colleges must be regarded as public bodies pursuant to Section 28 of the Gender Equality Act.

Amended by [Acts of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 7-7. *Reporting to a database for scientific publications*

(1) The purpose of this provision is to facilitate the use of personal identity numbers as a unique means of identification when registering scientific publications in a national database for scientific publications.

(2) This provision concerns universities and university colleges, regional hospital trusts and institutes that receive public result-based research funds based on the use of indicators for scientific publication. The provision concerns hospital trusts and other institutions that are part of the national system for measuring research activity in the regional hospital trusts.

(3) As far as it is not precluded by statutory duty of confidentiality, the Ministry may through regulations or an individual decision order institutions as mentioned in the second subsection to report to the database for scientific publication regarding the names and personal identification numbers of authors of scientific publications at the institution. The personal identify numbers must only be available to the data controller, the data processor and the data subject. The Ministry may issue regulations with further rules for how the reporting must take place.

Added by [Act of 22 June 2012 no. 55](#) (effective 22 June 2012 pursuant to [Decree 22 June 2012 no. 610](#)).

Section 7-8. *Reporting to a database for statistics on higher education*

(1) Personal data as mentioned in the second and third subsection may be processed in a database for statistics on higher education to enable the preparation of statistics, to conduct studies and research, and for the Ministry's administration and management of higher education.

(2) For students at universities and university colleges, the following personal data may be processed:

- a) personal identity number
- b) temporary personal identity number
- c) name
- d) citizenship

- e) information regarding education from universities and university colleges such as study progress and grades
- (3) For PhD candidates and staff at universities and university colleges, the following personal data may be processed:
- a) personal identity number
 - b) temporary personal identity number
 - c) ID type and ID number
 - d) name
 - e) citizenship
 - f) Information regarding their position and how it is financed.
- (4) The Ministry may order universities and university colleges to report personal data as mentioned in the second and third subsection to the database for statistics on higher education. The information may be obtained electronically.
- (5) The personal data in the database may be disclosed and collated for research and studies in accordance with the purpose in the first subsection. The information may also be disclosed to other ministries and state bodies which are permitted to process such data pursuant to the Personal Data Act.
- (6) The Ministry is the data controller for the database. The Ministry may issue regulations concerning the processing of information in the database.

Added by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree 15 June 2018 no. 892](#)).

Section 7-9. *Prohibition on clothing that fully or partly covers the face*

- (1) Students and staff must not wear clothing that partly or fully covers the face in connection with teaching or similar activities, including during excursions, expeditions etc. in conjunction with the educational institution's training. This prohibition does not apply if such clothing is being worn for reasons of climate, education, health or safety.
- (2) A student who despite a written warning has worn clothing which partly or fully covers the face in violation of the first subsection, may be expelled for up to one year. If the student despite a written warning does not comply with a decision concerning expulsion, the student may be excluded from the education for up to one year. A decision on expulsion can be made by the Rector or a person authorized by the Rector. A decision concerning exclusion can be made by the board itself or by the institution's appeals committee. A decision on expulsion or exclusion may be appealed, cf. Section 5-1.
- (3) If a member of staff acts in violation of the prohibition in the first subsection, the staff member must be asked to remove the clothing. Repeated violations of the prohibition may lead to dismissal.

Added by [Act of 22 June 2018 no. 85](#) (effective 1 Aug 2018 pursuant to [Decree 22 June 2018 no. 946](#)).

Part II. Private universities and university colleges

Chapter 8. Miscellaneous provisions - private institutions

Section 8-1. *The institution's organization and management*

- (1) Private universities and university colleges must be limited companies pursuant to the Limited Liability Companies Act or foundations pursuant to the Foundations Act.
- (2) The board must have representatives from the students and staff. The board must be composed of at least five members. If the board has more than ten members, the groups representing students and staff must each have at least two members. The requirements laid down in Section 28 of the Gender Equality Act, cf. Section 7-6, third subsection, concerning representation of both sexes must be fulfilled within each constituency (*valgkrets*).
- (3) There must be the greatest possible transparency concerning the work of the board. The board must establish and conduct systematic controls (internal control) to ensure compliance with requirements stipulated in laws or pursuant to laws. The Ministry may issue regulations concerning internal control.
- (4) The board must make sure the students receive the education that was presupposed when accreditation was granted, that all conditions for any government support are being met, and that the enterprise is run in accordance with statutes and regulations.
- (5) The board itself must make the decision that in its judgement it is appropriate to begin another academic year. The decision must be made before the courses start.

Amended by [Acts of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#), see Part III of the Act), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-2. *Delegation of authority*

- (1) The board may delegate its decision-making powers to other persons or bodies at the institution unless it follows from the present Act that the decision must be taken by the board itself or that other special restrictions apply to the right to delegate authority.

Amended by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)).

Section 8-3. *State support and fees*

- (1) Private universities and university colleges that satisfy the requirements set out in this Act may on application to the King be declared entitled to state support to cover operating costs of courses accredited by NOKUT.
- (2) All private universities and university colleges must use the state support and student fees for the accredited education and within the purpose of the law.

- (3) Private universities and university colleges that receive state support must use the support and fees to benefit the students. Private universities and university colleges that receive state support must not distribute proceeds.
- (4) Private universities and university colleges that do not receive state support, must not distribute so much in proceeds that the equity is less than 20 per cent of the assets.
- (5) The Ministry may issue regulations concerning the use of state support and student fees, including when winding up.

Amended by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)).

Section 8-4. *Agreements with closely related parties*

- (1) Private universities and university colleges cannot execute agreements with closely related parties or in other ways transfer funds to closely related parties on other terms and conditions than what would have applied between independent parties.
- (2) The institution must be able to document that no agreements have been executed in violation of the first subsection.
- (3) If the Ministry so requests, parties closely related to private universities and university colleges must allow the Ministry access to documentation on agreements as mentioned in the first subsection.
- (4) The Ministry may issue regulations concerning agreements with closely related parties, including what parties are considered closely related, and requirements for documentation.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-5. *Supervision*

- (1) The Ministry supervises private universities and university colleges.
- (2) Private universities and university colleges are obligated to assist in supervision. They must provide information that may be of significance regarding compliance with requirements laid down in or pursuant to this Act. The Ministry may require the institution to document and account for such information, for instance by handing over or compiling accounting material with vouchers, correspondence and board minutes. The supervisory authorities must be given access to the premises used by the institution.
- (3) The supervisory authorities may require the auditor and accountant to disclose information pursuant to the second subsection regardless of any statutory or agreed duty of confidentiality.
- (4) The Ministry may issue regulations concerning the institution's obligation to assist during supervision, e.g. for how information should be provided, and for access to the institution's premises.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8.6. *Reporting*

- (1) Private universities and university colleges must report their accounting information and compiled data on the education they offer, students and staff to the Ministry.
- (2) Private universities and university colleges must give the Ministry special notification of mergers, demergers, sale, reorganization or closing down of the enterprise. They must notify the Ministry before such changes are carried out.
- (3) The Ministry may issue regulations concerning private institutions' obligation to report and notify, including what reports must contain and requirements as to form.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-7. *Financial statements and audits*

- (1) Private universities and university colleges must submit annual accounts pursuant to Section 1-2 of the Accounting Act and this Act. The exemption in Section 3-1 second subsection, cf. Section 1-6 of the Accounting Act does not apply for private universities and university colleges.
- (2) Private universities and university colleges must maintain a financial distinction between the accredited parts of the enterprise and non-accredited parts of the enterprise. The financial statements must document that the institution maintains such a distinction in the enterprise.
- (3) Financial statements for private universities and university colleges must be audited by a state-authorized or registered accountant, cf. Section 3-1 of the Auditors Act.
- (4) The Ministry may issue regulations concerning requirements for financial statements, documentation and audits.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-8. *Order to correct*

If the Ministry uncovers violations of provisions stipulated in or pursuant to this Act or in the terms for the support, the Ministry may order the institution to correct this within a given time limit.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-9. *Order to pay back state support*

If state support is used in contravention of provisions stipulated in or pursuant to this Act or contrary to the terms for the support, the Ministry may demand the support to be paid back. A decision that state support must be paid back is enforceable by execution.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-10. *Compulsory fine*

- (1) To ensure that an order given pursuant to Section 8-8 is followed, the Ministry may decide that the party so ordered must pay a compulsory fine to the state. The compulsory fine is set as a continuous day fine from the expiry of the time limit stipulated in the order, and until the matter has been corrected.
- (2) The Ministry may issue regulations concerning the issue, size, due date, appeal and reduction of compulsory fines.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-11 *Violation fine*

- (1) If an institutions violates the provisions stipulated in or pursuant to this Act, the Ministry may impose a violation fine on the institution. A violation fine may be imposed on an enterprise even though no individual person is guilty of wrongdoing.
- (2) The size of the violation fine will be determined for each case. A final decision to impose a violation fine is enforceable by execution.
- (3) The Ministry may issue regulations concerning the issue, size, due date, appeal and reduction of a violation fine.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 8-12. *Withdrawal of accreditation*

- (1) If an institution does not correct serious matters that contravene provisions stipulated in or pursuant to this Act within the time limit pursuant to Section 8-8, the Ministry may withdraw accreditation of the institution or the course.
- (2) The Ministry may issue regulations concerning case management regarding withdrawal of accreditation pursuant to this provision.

Added by [Act of 9 June 2017 no. 39](#) (effective 1 Jan 2018 pursuant to [Decree of 9 June 2017 no. 716](#)), amended by [Act of 15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Part III. State universities and university colleges

Chapter 9. The board

Section 9-1. *Responsibility for the institution's activities*

- (1) The board is the highest governing body of the institution. It is responsible for maintaining a high academic standard and for ensuring that the institution is run

efficiently and in accordance with the statutes, regulations and rules that apply and the guidelines and objectives laid down by the authorities.

(2) All decisions taken at the institution by persons or bodies other than the board must be taken with authority delegated by the board and at the responsibility of the board. The board may delegate its decision-making powers to other persons or bodies at the institution in so far as it does not follow from the present Act that the decision must be taken by the board itself or that other special restrictions apply to the right to delegate authority.

Section 9-2. *The board's responsibilities*

(1) The board must draw up the strategy for the institution's educational and research activity and other academic activities and lay plans for its academic development in accordance with the objectives established by the superior authorities for the sector and the institution.

(2) The board must establish objectives and result requirements and holds responsibility for ensuring that the financial resources and property of the institution are utilized in accordance with the relevant provisions issued by the superior authority and with the conditions attached to allocations of funds or other binding decisions.

(3) The board must supervise the day-to-day management of activities. The board must issue instructions for the institution's day-to-day management.

(4) The board must itself decide the internal organization of activities at all levels. Such organization must ensure that the opinions of students and staff are heard.

(5) Pursuant to specific guidelines issued by the Ministry, the board must each year present an annual financial statement and report on the results of its activities, and propose a budget for the coming year.

(6) There must be the greatest possible transparency concerning the work of the board.

Section 9-3. *Composition of the board*

(1) The board must have eleven members and consist of four members elected from among the academic staff, one member elected from among the technical and administrative staff, two members elected from among the students and four external members.

(2) The Ministry appoints one of the external board members as chair of the board. If the Rector has been elected pursuant to Section 10-2, the Rector must be chair of the board and will replace one board member elected from among the academic staff.

(3) The board may itself establish a different board composition than that specified in the first subsection. Such a decision must have the support of at least half of the board members. The academic staff, the technical and administrative staff, the students and external members must all be satisfactorily represented on the board.

None of these groups may alone have a majority. Section 4-4, first subsection, will apply correspondingly.

(4) The board may itself decide that the board must have a majority of external members. Such a decision must have the support of at least two-thirds of the members of the board. The academic staff, the technical and administrative staff and the students must all be satisfactorily represented on the board. Section 4-4, first subsection, will apply correspondingly.

(5) The chair of the board and board members are entitled to reasonable remuneration for functioning as such. The remuneration will be determined by the Ministry.

(6) The Ministry may in special cases establish a different board composition or management system than that specified in the first subsection or established pursuant to the third or fourth subsection.

Amended by [Acts of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree of 19 June 2009 no. 676](#)), [22 April 2016 no. 5](#) (effective 1 June 2016 pursuant to [Decree of 22 April 2016 no. 408](#)).

Section 9-4. *Election and appointment of the board*

(1) Board members who are employees of the institution and their deputies are elected for four years. The election is held separately for the two groups: academic staff and technical and administrative staff.

(2) If the temporary academic staff constitutes more than 25 per cent of the academic staff of the institution, this group must elect one of the board members from among the academic staff. A separate election must be held for this group. Such a board member must be elected for one year.

(3) Board members from the student group and their deputies must be elected for one year.

(4) A board member must remain in office until a new board member is elected even if the period of service has expired. Where special circumstances are present, a board member has the right to resign before the period of service expires. The board and the group that has elected the board member must be given reasonable notice.

(5) The Ministry may extend the period of service for the board and the board members in special cases.

(6) External board members and their deputies are proposed by the board of the institution. In the case of university colleges of the arts, proposals are made by the board of the university college and by the Norwegian Council for Cultural Affairs. In the case of Sámi allsákkuvla (the Sami University College), Sámediggi (the Sami parliament) independently appoints two of the external board members and one deputy. The Ministry independently appoints the chair, unless the institution has chosen the Rector as chair of the board, and other external members and numerical deputies for four years.

(7) The board may itself decide that certain positions will not be eligible for election to the institution's board.

- (8) No-one may be re-elected as a board member who will have served in the position for a continuous period of eight years at the beginning of the new electoral period.
- (9) The requirements of Section 28 of the Gender Equality Act concerning representation of both sexes must be satisfied within each constituency (valgkrets).
- (10) The board must itself issue specific rules concerning the elections.

Amended by [Acts of 19 June 2009 no. 96](#) (effective 1 Aug 2009 pursuant to [Decree 19 June 2009 no. 676](#)), [9 Jan 2009 no. 4](#) (effective 1 Jan 2010), [20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree 20 June 2014 no. 817](#)), [18 Dec 2015 no. 131](#) (effective 1 Jan 2016 pursuant to [Decree 18 Dec 2015 no. 1622](#)), [22 April 2016 no. 5](#) (effective 1 June 2016 pursuant to [Decree 22 April 2016 no. 408](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 9-5. *Obligation to accept and act in positions of trust*

- (1) A member of staff who is elected to the board or to another position of trust at the institution, is obliged to accept the position. A person who has served in a position of trust is entitled to be excused from re-election to that position for as long as he or she has served in it. A deputy member who has attended meetings as a member for at least half an electoral period may demand to be excused from election as a member for the next period.
- (2) The holder of a position of trust must retire when he or she ceases to be eligible.

Section 9-6. *Board meetings*

- (1) The board must deal with matters in meetings unless the chair finds that a matter may be submitted in writing or be dealt with in another satisfactory manner.
- (2) The chair of the board must ensure that the board meets as often as is required. Any member of the board and the Rector or Director may demand that a meeting of the board be convened. Reasonable notice must be given of meetings.
- (3) A member of the board is obliged to attend meetings except in the event of valid grounds for absence.
- (4) A member of the board is obliged to participate in the proceedings and to vote. Blank ballots are not permitted except at elections.
- (5) Unless the board in individual cases decides otherwise, the appointed Rector or Director has a right and duty to attend and speak at board meetings.
- (6) Meetings of the board must be open. The board may decide that a meeting will be held in camera or that particular matters will be dealt with in camera. The decision referred to in the second sentence is taken in camera.
- (7) Board meetings must be chaired by the chair or, in the absence of the chair, by a person nominated by the board.
- (8) The board must keep minutes of its meetings.

Section 9-7. *Quorum and majorities*

- (1) The board has a quorum when more than half of the members are present and vote.
- (2) Unless otherwise provided in the present Act, resolutions are adopted by simple majority of the votes cast. In tied votes in cases other than elections, the chair has the casting vote. Tied votes in elections are decided by lot.
- (3) Voting on other matters than elections and appointments takes place by show of hands. Voting at elections and in connection with appointments must be by written ballot if one of the members present so requests.

Section 9-8. *Right to dismiss the board*

- (1) If the board through its dispositions jeopardizes the further activities of the institution, the King in Council may dismiss the board and appoint a temporary board until a new board is elected and appointed.
- (2) The King in Council may dismiss a board member if there are particularly weighty reasons, or if special circumstances undermine the trust in the board member.

Amended by [Act of 20 June 2014 no. 55](#) (effective 1 Aug 2014 pursuant to [Decree of 20 June 2014 no. 817](#)).

Chapter 10. Rector. Director

Section 10-1. *The Rector*

- (1) The Rector must be employed for a fixed term of years unless he or she is elected pursuant to Section 10-2. The board itself advertises the vacancy and employs the Rector. The employment process must ensure that the Rector has appropriate academic and management qualifications and that staff and students are heard. The board decides whether a recommendation should be made, and by whom.
- (2) The Rector is the general manager of the institution's academic and administrative activities in line with the guidelines and orders stipulated by the board.
- (3) The Rector serves as secretary to the board and must, in cooperation with the chair of the board, prepare and provide recommendations in the cases that are submitted to the board. The Rector is entitled to attend meetings in all the institution's boards, councils and committees.
- (4) The Rector is responsible for implementing the decisions made by the board, and for the utilization of resources and property in accordance with the resolutions adopted by the board.
- (5) The Rector must, on behalf of the board, make sure the overall management of funds and assets takes place in compliance with the Ministry's general provisions regarding financial management and the conditions on which allocations are made.
- (6) The Rector prepares budget proposals and annual financial statements and submits them to the board, and keeps the board informed at all times of how the accounts stand in relation to the budget and of other matters with a significant bearing on the activities of the institution.

Amended by [Act of 22 April 2016 no. 5](#) (effective 1 June 2016 pursuant to [Decree of 22 April 2016 no. 408](#)).

Section 10-2. *Elected Rector*

- (1) The Rector may be appointed through an election if the board so decides. To be valid, such a decision must be endorsed by at least half of the board members. Both the institution's staff and external candidates are eligible. The board may provide further rules concerning nomination of external candidates. If the Rector has been elected, the following applies:
- a) The Rector serves as chair of the board. On behalf of the board, the Rector has overall responsibility for and manages and supervises the institution's activity. The Rector, or the Prorector, is entitled to attend meetings in all the institution's boards and committees.
 - b) The Rector decides matters which may not be postponed until the board is able to convene. The Rector may also be authorized to deal with current business which ought to be settled before the next regular board meeting and which is not considered important enough for an extraordinary meeting to be called. In matters concerning dismissal or suspension, the Rector may only order temporary suspension from service pending the board's consideration of such matters.
- (2) The electoral period is normally four years. No one may be re-elected Rector who will have served in the position for a continuous period of eight years at the beginning of the new electoral period.
- (3) The person elected as Rector is employed for a fixed term unless he or she is already a permanent employee of the institution.
- (4) When counted, votes must be weighted according to a distribution key decided by the board within the following limits:
- a) academic staff 51–71 per cent
 - b) technical and administrative staff 5–25 per cent
 - c) students 15–30 per cent.
- If the election takes place in a special electoral body (*særskilt valgforsamling*), this must have a corresponding composition.
- (5) The board itself may issue further rules concerning the election.

Amended by [Act of 22 April 2016 no. 5](#) (effective 1 June 2016 pursuant to [Decree of 22 April 2016 no. 408](#)).

Section 10-3. *The institution's Director*

- (1) If the board has decided that the Rector will be elected pursuant to Section 10-2, first subsection, each institution must have a Director.
- (2) Subject to the limits laid down by the board, the Director is the overall head of the institution's administration.
- (3) The Director serves as secretary to the board and must, in consultation with the Rector, prepare and make recommendations concerning matters that come before the board. The Director is also, in person or through a subordinate, the secretary of the institution's other governing bodies.

- (4) The Director is responsible for implementing the resolutions adopted by the institution's governing bodies and for the utilization of resources and property in accordance with the resolutions adopted by the board.
- (5) The Director is responsible for ensuring that the overall management of funds and assets takes place in compliance with the Ministry's general provisions concerning financial management and the conditions on which allocations are made. The Director prepares budget proposals and annual financial statements and submits them to the board, and keeps the Rector and the board informed at all times of how the accounts stand in relation to the budget and of other matters with a significant bearing on the activities of the institution.
- (6) If the board, Rector or Director is uncertain as to whether a decision by the board is in accordance with rules or conditions for allocations, etc., the issue in doubt must be resolved by the Ministry.
- (7) The Director has general powers to authorize payments and is authorized to issue binding documents concerning the institution's properties, cf. Section 12-3, unless otherwise provided in legislation or in the document of title concerned.

Amended by [Acts of 22 April 2016 no. 5](#) (effective 1 June 2016 pursuant to [Decree of 22 April 2016 no. 408](#)), [15 June 2018 no. 43](#) (effective 1 July 2018 pursuant to [Decree of 15 June 2018 no. 892](#)).

Section 10-4. *The Rector's resignation*

- (1) If the Rector resigns before his/her term of office expires, a new Rector must be employed or elected.
- (2) If the institution has a Prorector, the board may itself decide that the Prorector will assume the duties of the Rector if the Rector is absent or resigns during the final year of office.

Amended by [Act of 22 April 2016 no. 5](#) (effective 1 June 2016 pursuant to [Decree of 22 April 2016 no. 408](#)), section number amended from Section 10-5.

Chapter 11. Appointments

Section 11-1. *Special appointment provisions for state universities and university colleges*

- (1) The board appoints heads of faculty and a head of administration if the board decides to establish such positions.
- (2) The board may decide that heads of faculty will appoint heads of department if such appointments must be made.
- (3) Appointment of the Prorector and of heads of faculties and departments and the Director must be made pursuant to Section 10-3 on the basis of recommendation by a selection committee. The board itself must decide the composition of the selection committee and lay down further rules concerning recommendation, etc. Unless the board unanimously decides otherwise, the students must be represented on the selection committee.
- (4) When special grounds so indicate, the board may itself appoint someone to the position of Prorector or head of faculty or department without prior advertisement of the vacancy.

(5) Appointments to technical and administrative positions are made by appointment committees set up pursuant to the provisions of the Civil Service Act. The board decides whether the institution will have one or more such appointments committees.

(6) If the board appoints someone to another management position than those mentioned in subsection 3, this must be done on the basis of the recommendation of Rector, or the Director if the Rector has been elected pursuant to Section 10-2.

Amended by [Acts of 12 Dec 2008 no. 105](#) (effective 1 Jan 2009 pursuant to [Decree 12 Dec 2008 no. 1340](#)), [22 April 2016 no. 5](#) (effective 1 June 2016 pursuant to [Decree of 22 April 2016 no. 408](#)), [16 June 2017 no. 67](#) (effective 1 July 2017 pursuant to [Decree 16 June 2017 no. 763](#)).

Section 11-2. Repealed by Act of 16 June 2017 no. 67.

Section 11-3. *Summary discharge, notice, suspension and disciplinary measures*

(1) The appointing body itself decides cases pursuant to Section 30 first subsection of the Civil Service Act concerning summary discharge, notice, suspension or disciplinary measures. (2) Appeals against decisions concerning summary discharge, notice, suspension or disciplinary measures are ruled on by the Ministry when such decisions have been taken by the board, and otherwise by the board itself.

Amended by [Act of 16 June 2017 no. 67](#) (effective 1 July 2017 pursuant to [Decree 16 June 2017 no. 763](#)).

Chapter 12. Various provisions

Section 12-1. *External matters*

(1) The board must represent the institution in relation to the public authorities.
(2) The Rector is the institution's legal representative, deputy and spokesperson in relation to the public authorities and the general public. In individual cases, the Rector may appoint a representative in his or her place.

Amended by [Act of 17 June 2005 no. 90](#) (effective 1 Jan 2008 pursuant to [Decree 26 Jan 2007 no. 88](#)), as amended by [Act of 26 Jan 2007 no. 3](#).

Section 12-2. *The parties*

(1) The State, represented by the Ministry, is a party in legal actions concerning the business of the institution unless the contrary follows from the second subsection.
(2) The State, represented by the institution, is a party when the matter in dispute originates in an individual decision taken by the institution pursuant to the Public Administration Act and the decision may not be appealed to the Ministry or to another body outside the institution.
(3) The Ministry may decide that the State represented by the institution must be a party also in other cases concerning the institution.

Section 12-3. *Property management*

- (1) The board of an institution managing its own property may itself dispose of real property with the consent of the Ministry or according to general rules issued by the Ministry.
- (2) The Ministry may issue rules concerning the renting and letting of real property.

Section 12-4. *Cooperation and participation in other activities*

- (1) Subject to general guidelines laid down by the Ministry, an institution may establish or participate in self-owning operations or in companies provided such participation is relevant to the institution's academic activities and beneficial to society. The institution must not limit its independence in academic matters and must not delegate its day-to-day teaching and research.
- (2) The Ministry must receive annual reports on the institution's participation in such cooperation and on its importance to the other activities of the institution. The Ministry may order the institution to withdraw from such cooperation if this is considered necessary out of regard for the primary responsibilities of the institution.

Part IV. Miscellaneous provisions

Chapter 13. Final provisions

Section 13-1. *Entry into force*

The Act must enter into force on such date¹ as is decided by the King.

¹ From 1 Aug 2005 pursuant to Decree of 1 April 2005 no. 271.

Section 13-2. *Transitional provisions*

The King may issue further transitional provisions.

Section 13-3. *Amendments to other Acts*

With effect from the entry into force of the present Act the following amendments are made to other Acts: **Section 13-4. *Repeal of earlier Acts***

With effect from the entry into force of the present Act, the following Acts are repealed:

Act of 12 May 1995 No. 22 relating to universities and university colleges

Act of 11 July 1986 No. 53 relating to private university colleges.