

Proposition 67 L

(2020–2021)

Proposition to the Storting (Bill)

Amendments to the Election Act (assistance when voting)

*Recommendation from the Norwegian Ministry of Local Government and Modernisation on 18 December 2020, approved in the Council of State on the same date.
(Solberg Government)*

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1 Main contents of the Proposition

In this Proposition, the Ministry of Local Government and Modernisation proposes certain amendments to Act no. 57 of 28 June 2002 relating to parliamentary and local government elections (the Election Act).

The Ministry proposes an amendment to the provision relating to the duty to be on a list at parliamentary elections. The proposal entails that if a person does not wish to be on an electoral list, it is sufficient for an exemption to be granted that the person submits a written declaration. The proposal brings the provision in the Election Act into line with an amendment made to the Constitution of Norway (Constitution). The Ministry also proposes an amendment to the Election Act which would enable voters with mental or physical disabilities who require assistance to vote to choose a helper themselves. The proposal entails that the requirement for an election official also having to be inside the polling booth shall be repealed. The Proposition also includes a proposal that the municipalities no longer need to send all polling cards from advance voting to the county electoral committee.

2 Background

In June 2017, the Government appointed an Election Act Commission to establish proposals for a new Election Act and to assess the electoral system. The Commission was to examine all aspects of the election process. The Commission submitted its report, Norwegian Official Report (NOU) 2020: 6 *Free and Fair Elections – New Election Act*, on 27 May 2020. The report was sent for an extensive consultation process with a deadline of until the end of the year. Based on proposals from the Commission and input during the consultation process, the Ministry will present the Storting with a proposal for a new Election Act. The new Election Act will apply from the 2025 parliamentary election at the earliest.

However, the Ministry still sees a need to propose certain amendments that can enter into force before the 2021 parliamentary election. The proposal regarding the duty to be on a list at parliamentary elections in Chapter 4 of the Proposition brings the Election Act into line with the Constitution. Amendments should be adopted before the county electoral committee commences the processing of list proposals in spring 2021. The proposal in Chapter 5 on the right to assistance when voting is a fundamentally important proposal, and the Ministry is of the view that it would be too long to wait for the new Election Act to enter into force.

3 The consultation process

On 29 June 2020, the Ministry sent for consultation a proposal for amendments to the Election Act, Election Regulations and Regulations relating to elections to the Sami Parliament. The deadline for submitting remarks was 30 September 2020. The proposal was sent to the following consultative bodies:

The Ministry

The National Archival Services of Norway

The Norwegian Ombudsperson for Children
The Norwegian Directorate for Children, Youth and Family
The Brønnøysund Register Centre
The Norwegian Data Protection Authority
The Norwegian Digitalisation Agency
The Norwegian Directorate for Civil Protection
The Anti-discrimination Tribunal
The Consumer Authority
The Consumer Council of Norway
The Norwegian Directorate of Health
The Directorate of Integration and Diversity
The Norwegian Mapping Authority
The Gender Equality and Anti-Discrimination Ombud
The Norwegian Media Authority
The Norwegian National Human Rights Institution
The Norwegian National Security Authority
The Research Council of Norway
The Norwegian Resource Bank for Democracy and Human Rights
The Party Act Board
The Norwegian Directorate of Taxes
Statistics Norway
The Governor of Svalbard
The Norwegian Directorate for Education and Training
The Norwegian Directorate of Immigration
The Norwegian Directorate of Elections

Nord University
The Norwegian University of Life Sciences
Oslo Metropolitan University
The University of Agder
The University of Bergen
The University of Oslo
The University of Stavanger
The University of South-Eastern Norway
The University of Tromsø

The Parliamentary Ombudsman for the Norwegian Armed Forces
Office of the Auditor General of Norway
The Sami Parliament
The Sami Parliament Youth Policy Committee
The Parliamentary Ombudsman

The county authorities

The municipalities
Longyearbyen Local Community Council

The Church of Norway
The Centre for Equality
The Norwegian Broadcasting Company (NRK)
Posten

The Norwegian Institute for Urban and Regional Research (NIBR)
The Norwegian Helsinki Committee
The School Student Union of Norway
EVRY
Faglig forum for formannskapssekretærer
Forum for Kontroll og Tilsyn
The Norwegian Federation of Organisations of Disabled People
ICT Norway
Innvandraranes Landsorganisasjon
The Norwegian Institute for Social Research
KS – The Norwegian Association of Local & Regional Authorities
The Norwegian Children and Youth Council
The MiRA Centre
The Norwegian Association of the Blind and Partially Sighted
The Norwegian Association of Disabled
The Norwegian Association of Lawyers
NTNU – Norwegian University of Science and Technology
The Norwegian Association for Persons with Intellectual Disabilities
The Norwegian Union of Journalists
The Norwegian Press Association
The Association of Norwegian Editors
Norsk Rådmannsforum
The National Union of Students in Norway
The Norwegian News Agency
The Norwegian Pensioners' Association
The Council for an Age-friendly Norway
The Norwegian Forum of Disabled Peoples' Organizations
The Centre for Gender and Equality
The Norwegian Association of Youth with Disabilities
Uni Research Rokkan Centre
Valgforum

The Alliance
The Norwegian Labour Party
The Democrats in Norway

The People's Action No to More Road Tolls
The Progress Party
The Health Party
The Norwegian Conservative Party
The Industry and Business Party
The Christian Democratic Party
The Coastal Party
The Capitalist Party
The Green Party
The Communist Party of Norway
The Christians Party
The Pensioners' Party
The Pirate Party
The Red Party
The Centre Party
The Socialist Left Party
The Liberal Party

A total of 51 consultation responses were received. The consultation responses are further discussed in the chapter below. The following bodies submitted remarks to the consultation paper:

The Norwegian Directorate for Children, Youth and Family
The Norwegian Data Protection Authority
The Gender Equality and Anti-Discrimination Ombud
The Norwegian National Human Rights Institution (NIM)
The Norwegian Directorate of Elections
The Sami Parliament

Asker Municipality
Aurskog-Høland Municipality
Bergen Municipality
Bærum Municipality
Drammen Municipality
County Council for Senior Citizens in Troms og Finnmark
County Council for Persons with Disabilities in Troms og Finnmark
Hammerfest Municipality
Hol Municipality
Hå Municipality
Karasjok Municipality
Kautokeino Municipality
Levanger Municipality
Lillestrøm Municipality
Moss Municipality
Nordland County Authority

City of Oslo
Rogaland County Authority
Council for people with disabilities in Nordland
Sarpsborg Municipality
Troms og Finnmark County Authority
Trondheim Municipality
Trøndelag County Authority
Vaksdal Municipality
Vefsn Municipality
Vestfold og Telemark County Authority
Viken County Authority

Posten Norge AS

The Norwegian Union of Social Educators and Social Workers (FO)
The Norwegian Federation of Organisations of Disabled People (FFO)
KS – The Norwegian Association of Local & Regional Authorities
The Norwegian Association of the Blind and Partially Sighted
The Norwegian Association for Persons with Intellectual Disabilities (NFU)
The Norwegian Forum of Disabled Peoples' Organizations (SAFO)
Stiftelsen Stopp Diskrimineringen
The Norwegian Association of Youth with Disabilities

The following bodies had no remarks to the consultation paper:

The Brønnøysund Register Centre
The Norwegian Directorate of Taxes
Statistics Norway

Kristiansand Municipality
Lindesnes Municipality
Nordre Follo Municipality
Skien Municipality
Tromsø Municipality

The Church of Norway National Council

4 Duty to be on a list at parliamentary elections (duty to accept election)

4.1 Applicable law

The key element of the system for parliamentary elections is regulated in the Constitution. The duty to accept election is stipulated in Article 63 of the Constitution. The general rule under the provision is that the person who is elected as a member is obligated to accept election. The provision derogates from the general rule in instances in which a person is elected outside of the constituency he or she is entitled to vote in and in instances in which he or she has attended as a member all sessions of the Storting since the previous election, cf. subsection 1 (a) and (b) of the provision.

On 7 January 2020, the Storting unanimously agreed to amend Article 63, paragraph one of the Constitution (exemption from the duty to accept election), cf. Doc. 12:30 (2015–2016) and Recommendation 129 S (2019–2020). The Storting then adopted a new provision in Article 63, paragraph one (c) of the Constitution which states that it is sufficient for an exemption to be granted that the person submits a written declaration that he or she does not wish to be on an electoral list. The provision only allows for an exemption from a specific electoral list that the person is included on and does not provide a general exemption from the duty to be on a list. The provision will be applied for the first time at the 2021 parliamentary election. Letter (d) in the provision that a person can be granted an exemption from the duty to accept election if he or she is a member of a political party and is elected on an electoral list from another party was also repealed.

A general exemption rule for municipal and county council elections was adopted in 2011 and used for the first time at the 2015 elections, cf. Section 3-4, subsection 1 of the Election Act. For municipal and county council elections it is sufficient for an exemption that a person submits a written declaration that he or she does not wish to stand for election on the relevant electoral list.

4.2 Proposal from the Election Act Commission

The Commission makes reference to the Ministry having found in Proposition 64 L (2010–2011) that the duty to be on a list may be in violation of the right of freedom of association stipulated in Article 22 of the United Nations International Covenant on Civil Rights (CCPR) and Article 11 of the European Convention on Human Rights (ECHR). The Commission considers it problematic that unwilling candidates have to join another political party in order to be exempt. The right of the individual to freedom of association therefore argues in favour of expanding the right to an exemption. That a person who is not interested in or does not wish to be associated with the party in question is obligated to remain on the list would also mislead voters. On this basis, the Election Act Commission supports the adopted amendment to Article 63 of the Constitution on the right to an exemption from inclusion on an electoral list. The Commission therefore agrees that it should be sufficient for being granted an exemption that a person submits a written declaration to the electoral authorities that he or she does not wish to be

included on an electoral list. It is the opinion of the Commission that the other grounds for exemption in Article 63 of the Constitution will thus become redundant and proposes that these be repealed. These grounds for exemption were not amended by the Storting when it considered the new ground for exemption.

4.3 Proposal in the consultation paper

In the consultation paper, the Ministry proposed amending the provision in Section 3-2, subsection 1 (c) of the Election Act to bring the provision in line with Article 63, paragraph one (c) of the Constitution. The Ministry emphasised that the amendment should be adopted before the county electoral committee starts processing list proposals for the 2021 parliamentary election. The grounds for exemption in Article 63, paragraph one (a) and (b) of the Constitution appear in Section 3-2, subsection 1 of the Election Act and the Ministry found that there was no need to make amendments.

4.4 Opinions of the consultative bodies

All consultative bodies supported the proposal or had no remarks to the proposal. Only *Bergen Municipality* made a specific statement regarding the proposal, and noted that an application for an exemption would be easier for voters and that electoral administration procedure will be the same for all elections.

4.5 Assessments and proposals from the Ministry

The Ministry proposes amending the provision in Section 3-2, subsection 1 (c) of the Election Act to bring the provision in line with Article 63, paragraph one (c) of the Constitution. The provision introduces a general rule to claim exemption from inclusion on an electoral list, irrespective of the reason. People who have submitted a written declaration that they do not wish to be included on an electoral list do not have a duty to accept election. The provision does not provide a general exemption from the duty to be on a list and only allows for an exemption from a specific electoral list the person in question is included on. Candidates who have been included on an electoral list must apply for an exemption by the deadline set by the county electoral committee, cf. Section 3-2, subsection 2 of the Election Act. The right to an exemption from inclusion on an electoral list will otherwise be lost. The provision corresponds with the provision in Section 3-4, subsection 1 of the Election Act on the right to claim exemptions from county council and municipal council elections.

5 Right to assistance when voting

5.1 Applicable law

Voters who have such a need may themselves ask a returning officer or the polling committee to provide any necessary assistance with voting, cf. Section 8-4, subsection 8 and Section 9-5, subsection 5 of the Election Act. The provisions derogate from the starting point that the act of

voting must be carried out in private and unobserved. For example, this includes voters who require assistance due to poor Norwegian language skills.

Furthermore, voters with a serious mental or physical disability may themselves choose an extra helper among the persons who are present at the polling station. Any person who assists a voter in the process of casting a vote and gains knowledge of how the person in question has voted has a duty of secrecy in respect thereof, cf. Section 15-4, subsection 2 of the Election Act. The helper must be informed of this duty of secrecy. The provision stipulates that the voter him/herself must take the initiative to obtain assistance.

5.2 International obligations

In 2013, Norway ratified the UN Convention of 13 December 2006 on the Rights of Persons with Disabilities (CRPD). Under Article 29, (a) Norway is obliged to “to ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others [...], including the right and opportunity for persons with disabilities to vote [...]”. To ensure this participation, the Article stipulates certain measures:

- “i) ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
- ii) protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
- iii) guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice.”

In its concluding remarks on 7 May 2019, the CRPD Committee expressed concern that voting procedures, facilities and materials were not accessible to all persons with disabilities and had the following recommendation for Norway:

“The Committee recommends that the State party, in consultation with organizations of persons with disabilities:

- (a) Ensure that electoral procedures, facilities and materials are inclusive of and accessible to all persons with disabilities, including by providing materials in sign language, Braille and Easy Read formats and considering the introduction of accessible electronic voting.”

5.3 Proposal from the Election Act Commission

5.3.1 Introduction

The Commission has assessed three issues in connection with the right to assistance. Firstly, the Commission has assessed whether there is a need to amend the rules for who shall have the right to assistance. Secondly, the Commission has assessed whether the right to assistance should include greater freedom of choice for voters. Thirdly, the Commission has assessed who shall determine whether a voter has the right to assistance.

5.3.2 Who shall have the right to assistance

The Commission proposes not to continue the general provision regarding the right to assistance in Section 9-4, subsection 8, first sentence and Section 9-5, subsection 5, first sentence of the Election Act. The Commission refers to the fact that the general right to assistance from an election official inside the polling booth unnecessarily undermines the principle that voting shall take place in private and unobserved. All voters can request guidance from an election official. The election official can provide such guidance by showing the voter the procedure for voting and then leaving the polling booth to enable the voter to vote in private. The Commission emphasises that it is important that voters with limited Norwegian language skills receive such guidance.

The Commission has found that there is a need to simplify and clarify the rules regarding who has the right to assistance inside the polling booth and proposes that voters who cannot vote alone due to physical or mental disability have the right to assistance from a helper they have chosen themselves. The requirement that the disability must be serious should not be continued.

5.3.3 Who can assist the voter

The Commission notes that Norwegian Association of the Blind and Partially Sighted stated that the right to assistance should include greater freedom of choice for voters and that voters should be able to be assisted by a self-selected helper alone. The background to the issue of whether a representative from the electoral authorities must be inside the polling booth in addition to a self-selected helper is a trade-off between the consideration of freedom of choice and the dignity of the voter on the one hand and the consideration of preventing undue influence of the voter on the other. In the view of the Commission, the consideration of ensuring a dignified voting process for all voters must be assigned major weight. The right to assistance must be arranged in a manner that is in accordance with the wishes of the groups who will receive assistance. The freedom to select who the voter shall receive assistance from may be decisive to whether the voter can freely vote as he or she intends to vote. It is therefore proposed that the requirement for there also having to be a person from the electoral authorities inside the polling booth shall not be continued.

5.3.4 Who shall decide whether the voter is entitled to assistance

The Commission has assessed the issue of who shall decide whether the voter is entitled to assistance. In the case of advance voting, the Commission is of the view that the matter must be decided by one of the returning officers. On election day, the Commission is of the view that the decision should, in principle, be made by the polling committee. However, the Commission finds that such an arrangement would be excessively bureaucratic. An election official or member of the polling committee should be able to approve such assistance if there is no doubt that the conditions for receiving assistance are in place. The polling committee shall decide on the matter if an election official or member of the polling committee is of the opinion that the conditions for the right to assistance are not satisfied. In the view of the Commission, any doubt concerning whether the conditions are satisfied should be in the voter's favour.

5.4 Proposal in the consultation paper

In the consultation paper, the Ministry proposed that there should no longer be a general right to assistance with voting for all voters who require such assistance, cf. Section 8-4, subsection 8, first sentence and Section 9-5, subsection 5, first sentence of the Election Act. Voters will still have the right to guidance on how to vote from an election official, but the election official must leave the polling booth when the voter will cast his or her vote.

The Ministry also proposed an amendment to the Election Act which entails that voters who cannot vote alone due to mental or physical disability, may themselves select a helper to assist them without an election official being present inside the polling booth. These voters may receive assistance from an election official if they so request.

In addition, the Ministry proposed a new provision that the polling committee shall decide on the matter if an election official or a member of the polling committee is of the opinion that the conditions for the right to assistance at the polls are not satisfied.

5.5 Opinions of the consultative bodies

Few consultative bodies provided specific comments to the Ministry proposing to not continue the general provision on the right to assistance. *Drammen Municipality* stated that they have a positive view of the proposal. It was the Municipality's view that, with the exception of voters with disabilities, guidance should be provided outside of the polling booth. *Asker Municipality* also supported the proposal.

The proposal to give voters with disabilities the right to themselves select who should assist them when voting, without an election official being present with them inside the polling booth, received support from a large majority of the consultative bodies who submitted statements regarding this. These consultative bodies include the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir), Drammen Municipality, Norwegian Federation of Organisations of Disabled People (FFO), Hammerfest Municipality, Hå Municipality, KS, Gender Equality and Anti-Discrimination Ombud (LDO), Lillestrøm Municipality, Norwegian Association of the Blind and Partially Sighted, Norwegian National Human Rights Institution (NIM), Norwegian Association for Persons with Intellectual Disabilities (NFU), City of Oslo (represented by the Electoral Committee), Rogaland County Authority, Norwegian Forum of Disabled Peoples' Organisations (SAFO), Sarpsborg Municipality, Troms og Finnmark County Authority, Trøndelag County Authority, Norwegian Association of Youth with Disabilities, Norwegian Directorate of Elections and Viken County Council.

FFO and the *Norwegian Association of Youth with Disabilities* were positive towards the Ministry proposing that the amendments already be enacted now to enable the rules to be in place before the 2021 parliamentary election. Together with *NFU* and *Bærum Municipality*, they also supported the proposal to remove the requirement that the disability must be serious. The organisations emphasised that the challenge is not only in the legislation, but also in how this is practiced and, together with several other consultative bodies, they highlighted the need for extensive training of election officials. *FFO* claimed that they have received a great deal of feedback about election officials not having sufficient knowledge of the legislation and were of the view that the

training election officials receive regarding the legislation must be improved. *Stiftelsen Stopp Diskrimineringen (Stop Discrimination Foundation)* stated that, among other things, they have received reports of election officials not exercising adequate discretion at the polling stations and that attempts were made to stop voters from voting.

The municipalities of *Asker, Moss* and *Trondheim* considered it important that the Ministry provides guidance on how returning officers should interpret the term “physical or mental disabilities”. The municipalities of *Asker* and *Trondheim* also noted that neither the Election Act Commission nor the Ministry raised the issue of voters who have such serious disabilities that they have problems expressing a request for assistance. In the view of these municipalities, the Ministry should provide advice on how to handle these types of situations. *Asker Municipality* also noted that situations may arise in which it is unclear as to whether it is the voter who wants someone to be together with them in the polling booth or whether it is the helper who wants to be together with them in the polling booth. In the view of the Municipality, it will also be a challenge to ensure that the voter is not subjected to undue influence.

FO questioned whether a member of the polling committee should assess whether a voter requires assistance. *NFU* and *SAFO* were of the opinion that there is no need for clarifying who shall decide whether the voter requires assistance. In their view, the decisive factor is whether the voter him/herself considers that he or she requires assistance. They also questioned as to what was meant by any doubt concerning the conditions for assistance being satisfied having to be in the voter’s favour. *LDO* was sceptical towards the proposal that the polling committee shall decide whether the conditions for using a helper are satisfied. *LDO* made reference to the fact that it was not discussed as to how a voter who requires assistance shall be able to prove that he or she has a disability, that the polling committee does not have the requisite expertise to assess this issue, and that it is difficult to envisage anyone abusing the system. In *LDO*’s view, out of respect to the dignity of the voter, the starting point should be that a person should be believed when he or she claims to be disabled. *The Norwegian National Human Rights Institution (NIM)* also noted that there was no consideration of what expertise the polling committee had for being able to assess whether a voter with a disability requires assistance. On the other hand, *KS* were of the view that it is important that the polling committee is able to determine whether the conditions for assistance are satisfied and noted that the reason for an election official being able to be inside the polling booth together with the voter was that it can sometimes be difficult to determine whether the voter does in fact want assistance.

The Norwegian Data Protection Authority noted that the polling committee’s consideration of the right to assistance must take place in a manner that safeguards the rights of the voter under the data protection regulations.

The County Council for persons with disabilities in Troms and Finnmark noted that it should be possible for voters with disabilities who require this to be sent the entire selection of ballot papers prior to the election to enable the voter to make changes to the ballot paper at home. This would thus reduce the need for assistance.

A minority of the consultative bodies did not support the Ministry’s proposed amendments to the provisions relating to assistance. *Bærum Municipality* did not support the proposal and instead recommended that the Ministry further investigate the matter. The Municipality made note of

the fact that there are a number of issues relating this point. Among other things, it is difficult to envisage how election officials would be able to ensure that the voter is not subjected to undue influence from his or her own helper when they cannot be together with them inside the polling booth. There are many voters who are unable themselves to express that they require assistance and there will be instances in which the helper provides the reasons for why assistance is needed. In such cases, it is difficult for an election official to determine whether the voter requires or wants assistance. Under the current set of rules, all voters will be able to receive assistance from either an election official or their own helper. The Municipality emphasised that the voters themselves must decide whether they require assistance. *Hol Municipality* noted that the proposal will raise the level of dignity, but that the best solution for the voter group would be to develop a secure solution for electronic voting at the polling station. *Vefsn Municipality* recommended that the Ministry formulate a plan for this group of voters being able to vote via their own PCs. *Vestfold og Telemark County Authority* proposed that, in addition to the voter's own helper, an election official should still be inside the polling booth as an observer.

5.6 Assessments and proposals from the Ministry

5.6.1 Who shall be entitled to assistance

In accordance with the assessment by the Election Act Commission, the Ministry proposes to not continue the general right to assistance from an election official during the actual act of voting for all voters who require assistance. The starting point is that all voters must cast their vote in private and unobserved. Exemptions from this starting point must not extend further than what is necessary for the voters being able to vote. The Ministry is of the view that it is correct that the right to receive assistance with the actual act of voting will only be granted to the voters who cannot vote alone due to disability. Other voters who require assistance should receive guidance without this entailing that a returning officer or election official is present inside the polling booth while the voter casts his or her vote. The Ministry notes that is important for, among others, voters who cannot speak Norwegian, to receive adequate guidance to enable them to vote. An election official can provide the voter with guidance on how to vote inside the polling booth before the election official then exits the polling booth and allows the voter to cast his or her vote in private.

At present, in addition to the general right to assistance from an election official referred to above, persons with serious disabilities have the right to select their own helper. In accordance with the Commission's proposal, the Ministry proposes removing the requirement that the disability has to be serious. This entails that all degrees of disability will be entitled to assistance. In the view of the Ministry, the decisive factor for granting assistance should be whether the disability prevents the voter from being able to vote alone and not how serious the disability is considered to be.

5.6.2 Who shall assist the voter

As noted by the Election Act Commission, the issue of whether a representative from the electoral authorities has to be inside the polling booth in addition to a self-selected helper will depend on a trade-off between consideration of the voter's freedom of choice and dignity on the one hand and consideration of preventing undue influence on the other. Voters not being subjected to undue influence is a fundamental principle that is emphasised by the Election Act's objective of ensuring free and fair elections, cf. Section 1-1. It is important to ensure that undue influence cannot occur, both out of consideration to elections being free and fair and the principle of one voter, one vote.

In the assessment, the Ministry has assigned major emphasis on the right being established in a manner that it is in line with the wishes of the groups who require assistance. The Ministry agrees with the Commission that the possibility of selecting who one should be assisted by may be decisive to the voter voting as he or she intends to vote. It may also be decisive to whether someone wishes to exercise their right to vote. The Norwegian Association of the Blind and Partially Sighted stated that many of their members did not want election officials to know how they voted. This can be particularly problematic in small municipalities where the voter knows who the election official is.

Based on this, the Ministry proposes that voters who cannot vote alone due to physical or mental disability shall themselves be able to select a helper who shall assist them, without an election official also being together with them inside the polling booth. A voter may still obtain assistance from an election official if he or she requests this. The proposal is in line with the proposal in the consultation paper and received broad support during the consultation process.

It will still be the case that the voter him/herself must ask for assistance to vote. Some consultative bodies noted that it is difficult in some instances to determine whether it is the voter him/herself who is requesting assistance or whether it is relatives who are requesting to assist the voter. The Ministry understands that there may be difficult assessments to make in certain instances, however emphasises that the requirement that the voter him/herself shall take the initiative to receive assistance reduces the risk that he or she will be subjected to undue influence.

The Ministry finds that the proposal will contribute to voters with disabilities being able to exercise free expression, as required under Article 29 (a) of the CRPD. In the view of the Ministry, the proposal makes the election more inclusive for voters with disabilities and is in accordance with the positions of the organisations and must therefore be considered in compliance with the CRPD Committee's recommendations for Norway.

5.6.3 Who shall decide whether the voter is entitled to assistance

In accordance with the Commission's proposal, the Ministry proposes that the Act specifies who shall decide whether a voter satisfies the conditions for being entitled to assistance. It is also the situation under the current rules that returning officers and the polling committee have to determine whether the conditions for assistance are satisfied for individual voters.

The Ministry agrees with the Commission that the polling committee does not need to make all of the decisions regarding whether the voter is entitled to assistance when voting at the polls.

When there is no doubt that the conditions for assistance have been satisfied, the member of the polling committee or election official contacted by the voter should be able to approve such assistance. However, if the member of the polling committee or election official is of the view that the voter does not satisfy the conditions for assistance, the voter should be able to be granted a new assessment by the polling committee. Several consultative bodies have questioned the need for the Act to specify who shall decide whether the voter satisfies the conditions for being entitled to assistance. Some consultative bodies also called for a discussion about what qualifications the polling committee has to be able to decide on these types of matters. The Ministry notes that, pursuant to the current rule concerning assistance, the polling committee will have to decide whether the conditions are satisfied. Under the proposal, a member of the polling committee or an election official may approve such assistance if there is no doubt that the conditions are satisfied. To avoid the system being abused, the Ministry considers it necessary that someone has to determine whether the conditions are satisfied. There is greater predictability when the Act specifies who shall decide whether the conditions are satisfied. However, the starting point will still be that a person who claims he or she has a disability shall be believed. There is also no requirement for the voter having to present any form of documentation that he or she has a disability. Pursuant to the current rules, any doubt regarding whether the voter satisfies the conditions must be in the voter's favour. The Ministry is still of the view that it would be more detrimental to refuse such help to a voter who needs it, rather than approve such help for someone who does not need it. For these reasons, the Ministry cannot see that there is a need to conduct a further assessment of the polling committee or returning officer's qualifications for assessing the voter's need for assistance.

A polling committee administers voting at each polling station in the municipality on election day. There is no polling committee or equivalent body that administers advance voting. From 10 August it will be a requirement that there must be a minimum of two returning officers present in connection with advance voting. There may be situations in which the returning officers disagree on whether the voter satisfies the requirements for receiving assistance. In the view of the Ministry, it should be sufficient for advance voting that one of the returning officers is of the opinion that the voter satisfies the conditions for receiving assistance. It is not necessary that both returning officers are of the opinion that the voter is entitled to assistance. In the view of the Ministry, this solution is in accordance with the principle that any doubt concerning whether the conditions for receiving assistance are satisfied must be in the voter's favour.

Practical application of the provisions relating to assistance will be subject to an in-depth evaluation following the 2021 parliamentary election. The Ministry will consider proposing amendments to the rules based on the findings from the evaluation.

5.6.4 Assessment of technical aids

Some consultative bodies noted that a better solution for voters with disabilities would be to facilitate electronic voting, either at the polling station or at home. The Election Act Commission is of the view that the electoral authorities need to assess what technical aids can make voting easier for blind and partially sighted voters. Among other things, electronic voting at polling station must be considered. When concerning the possibility of voting at home, the majority of the Commission noted that this poses major challenges in terms of secret ballots.

The Ministry will ensure that there are further assessments of the rules in the follow-up of NOU 2020: 6 *Free and Fair Elections - New Election Act*, to investigate possibilities for ensuring that as many voters as possible can cast both a party vote and preferential vote unobserved and in private. The Ministry considers the follow-up to be in line with the CRPD Committee's recommendations to Norway to ensure that voting procedures are accessible to all persons with disabilities and to consider electronic voting.

6 Forwarding of materials from the municipality to the county authority

6.1 Applicable law

For parliamentary elections and county council elections, the county electoral committee must approve the election process in the municipalities based on materials sent by the municipalities. The materials that must be sent are stipulated in Section 10-8, subsection 1 of the Election Act. Among the materials that must be sent are all polling cards from advance voting, cf. subsection 1 (c).

6.2 Proposal from the Election Act Commission

The Commission proposes to not continue the provision that all polling cards from advance voting at parliamentary and county council elections need to be forwarded, cf. Section 10-11 of the Commission's proposed new Election Act.

6.3 Proposal in the consultation paper

In the consultation paper, the Ministry proposed repealing the provision in Section 10-8, subsection 1 (c) of the Election Act. The Ministry noted that the polling cards serve no function in the control that the county electoral committee has to carry out. The Ministry also noted that it was aware that the county electoral committee did not consider there to be a need to be forwarded the polling cards because they do not use these for any controls.

6.4 Opinions of the consultative bodies

All consultative bodies either supported the proposal or had no remarks to the proposal. Among these was *Sarpsborg Municipality*, who noted that there is no requirement for voters to have polling cards with them.

6.5 Assessments and proposals from the Ministry

The Ministry refers to the fact that the proposal had broad support during the consultation process and proposes to repeal the provision in Section 10-8, subsection 1 (c) of the Election Act.

Since polling cards do not serve any function in the county electoral committee's control process, the electoral committee should no longer have to forward these on to the county electoral committee. The Ministry adopted amendments to the Election Regulations on 20 November 2020, which involved polling cards being sent electronically to all domestic voters. Voters registered in the Contact and Opt-out Registry (kontakt- og reservasjonsregisteret) shall still be sent polling cards by mail. Voters who have not saved or updated their contact information in the registry in the last 18 months will also be sent polling cards by mail. This means that a large proportion of voters will receive polling cards electronically and hardcopy polling cards will not play a role in a control process.

7 Parliamentary and Sami parliamentary elections in 2021

7.1 Introduction

The next parliamentary and Sami parliamentary elections will be held on 13 September 2021. In this chapter, the Ministry will firstly provide an overview of the election-related work that has been commenced as a consequence of the Covid-19 outbreak. The Ministry will also discuss two important amendments to the Election Regulations that were adopted prior to the election.

7.2 Outbreak of Covid-19

An ongoing pandemic will impact on how the election can be conducted. Among other things, there are challenges relating to how it can be ensured that voters in quarantine and isolation are also able to vote, how long queues can be avoided and how to prevent voters from believing that there is a risk associated with showing up to vote. Stricter requirements will also be set for the ability of the municipalities to organise the work prior to and during the election process and the capacity and staffing of other involved stakeholders. The Constitution states that the election must have concluded no later than the month of September and the Election Act has time limits for several other phases of the election.

In the spring of 2020, the Ministry identified that the general recommendations relating to infection prevention and control would make it challenging for parties and groups to physically collect signatures on list proposals. The Ministry therefore put forward a proposal for a temporary amendment to the Election Act that makes it possible for political parties that did not poll enough votes at the previous parliamentary election and unregistered groups to collect signatures on list proposals electronically. The Storting approved the proposal on 22 June 2020. The Norwegian Directorate of Elections was tasked with developing a digital solution for collecting signatures. The solution was adopted on 9 October 2020.

The Ministry has convened a working group that is responsible for preparing possible infection control measures in connection with the conduct of the parliamentary and Sami parliamentary elections in 2021 with the ongoing pandemic in mind. The group has members from the Ministry of Local Government and Modernisation, Ministry of Foreign Affairs, City of Oslo, Viken County Authority, Norwegian Directorate of Elections, and the Norwegian Institute of Public

Health. The group will present its recommendations by 31 December 2020. If the working group finds there to be need for temporary statutory amendments in order to adequately conduct the election, a proposition relating to this may be submitted in January 2021.

7.3 Sending of advance votes

On 1 January 2018, first and second class mail were merged into one common mail stream, cf. Report no. 31 (2015–2016) to the Storting (*white paper*) *The Changing Postal Sector*. Due to the delivery time, a common mail stream would have resulted in a very large number of advance ballots cast on the final Friday before election day in 2019 not having arrived before the deadline if they had been sent as normal domestic letter mail. Due to this change, prior to the 2019 election, the Ministry stipulated amendments to Section 27 of the Election Regulations which entailed that advance votes must not be sent as letter mail on the Thursday, Friday or Saturday before election day.

Based on the amendments to the Regulations, the Norwegian Directorate of Elections arranged a consignment agreement that all municipalities would be able to use. Posten Norge AS submitted the only tender and the Directorate entered into an agreement with the provider. The agreement entailed that all municipalities could collect advance votes on the Friday and Saturday before election day which were sent overnight with commercial packages or via express post. These packages have a delivery time of two days, which would ensure that the votes arrived at the electoral committee in the voter's home municipality by 5pm after election day. The Election Regulations did not obligate the municipalities to use the consignment agreement. The agreement was evaluated and both the Norwegian Directorate of Elections and the municipalities were satisfied with the arrangement.

In 2019, the Storting adopted changes to the requirement for the number of distribution days from five days a week to every second day in a two week cycle, i.e. three days one week and two days the next, cf. Proposition 102 L (2018–2019). Despite the Ministry of Transport noting in the proposition that the change in the number of distribution days would have little impact on the sending of advance votes, the Ministry is of the view that there is a greater risk of errors and delays if the advance votes received from Monday to Wednesday in the final week before election day are sent via ordinary mail.

Based on experiences from the 2019 election and amendments to the Postal Act prior to the 2021 parliamentary and Sami parliamentary elections, the Norwegian Directorate of Elections proposed increasing the number of days with express post from Thursday to Friday before election day to the entire final week of the advance voting period. This entails that no advance votes shall be sent by ordinary letter mail from Monday to Friday in the final week before election day. The Ministry supported the recommendation from the Norwegian Directorate of Elections and in the consultation paper proposed that the period for express post be expanded.

All consultative bodies that submitted statements supported the Ministry's proposal. Several municipalities made reference to good experiences when using the agreement at the municipal and county council elections in 2019. The municipalities emphasised that this assumes that the Norwegian Directorate of Elections will cover the extra costs.

The Election Act Commission has discussed the issue and, on the whole, is of the view that a separate distribution agreement would be the most expedient measure for avoiding advance votes not arriving in time.

Based on the broad consensus and recommendations from the Norwegian Directorate of Elections and Election Act Commission, the Ministry stipulated amendments to the Election Regulations on 20 November 2020. The Norwegian Directorate of Elections will be tasked with entering into a new agreement for express post prior to the 2021 parliamentary and Sami parliamentary elections.

7.4 Sending polling cards electronically

A pilot scheme was conducted at the municipal and county council elections in 2019 which involved sending polling cards electronically in certain selected municipalities. A total of 18 municipalities participated in the pilot scheme: Bergen, Bodø, Fredrikstad, Færder, Gjøvik, Gloppen, Grimstad, Hamar, Hå, Lillesand, Skaun, Skien, Stjørdal, Tromsø, Ulstein, Vadsø, Vanylven and Vågan.

Anyone with the right to vote who was registered in the electoral register of the selected municipalities and who was not registered in the Contact and Opt-out Registry, received electronic access to the polling card. The exception was those who had not updated their personal details or confirmed that the information in the Contact and Opt-out Registry was correct in the previous 18 months. They were sent a hardcopy polling card, together with those who had opted out.

The polling cards were available to those entitled to vote by logging in to the website of the Norwegian Directorate of Elections. The polling cards were sent electronically to the digital mailboxes of the eligible voters who had established these mailboxes. Voters were notified via SMS that they had been sent the polling card.

The Norwegian Directorate of Elections conducted an evaluation of the pilot scheme for the electronic sending of polling cards. Three of four voters surveyed said that they wanted to be sent the polling card electronically at the next election. Of all of the municipalities that responded to the Ministry's election implementation survey following the election, the majority stated that they were positive or very positive about the digital polling card scheme. The majority of the municipalities which participated in the pilot scheme stated that voters had required guidance and information regarding the digital polling cards at the polling stations. They also experienced high demand from voters with questions about the digital polling cards prior to the election.

The Election Act Commission is positive towards polling cards being sent electronically and notes that sending the polling cards electronically would be in accordance with Section 15 a of the Public Administration Act, which states that digital communication should be the general rule.

The Ministry sees many advantages from the scheme. The digital polling card can reach more voters, reduces production and consignment costs and has environmental consequences in the form of reduced use of paper and distribution. The polling card will be more accessible to vot-

ers with disabilities in line with Article 29 (a) of the CRPD and the CRPD Committee's recommendations to Norway that all materials used at elections are accessible to persons with disabilities. Sending polling cards electronically is also in accordance with the Digitalisation Directive, which sets requirements for the use of digital mailboxes for sending mail to citizens who have selected the digital mailbox and have not opted out of the scheme. The Ministry therefore proposed in the consultation paper that polling cards be sent electronically to everyone with the right to vote who is included in the electoral register and who reside in Norway, with the exception of Svalbard and Jan Mayen. The majority of the consultative bodies also supported the proposal or had no remarks to the proposal. Some municipalities and KS were of the view that caution should be exhibited when introducing something that requires so much guidance and information at the present time. They made reference to the uncertainty surrounding the current pandemic and were concerned that digital polling cards would require a great deal of time and resources both during the period before the election and at the actual polling stations. Several bodies also emphasised the importance of the Norwegian Directorate of Elections ensuring that good information is provided to voters and the municipalities.

On 20 November 2020, the Ministry approved a new provision in the Election Regulations which stipulates that polling cards will be sent electronically to everyone with the right to vote who is registered in the electoral register and who resides in Norway, with the exception of Svalbard and Jan Mayen. People with the right to vote who reside abroad or on Svalbard or Jan Mayen will not be sent polling cards electronically. The provision will apply from the 2021 parliamentary election. The Ministry will continue the exemptions that applied for the pilot scheme such that some voters can still be sent a hardcopy version of the polling card.

The Norwegian Directorate of Elections is responsible for municipalities and voters receiving sufficient training and information in connection with the introduction of digital polling cards. The municipalities must expect that they will receive more questions than usual about polling cards from voters, both before the election and at polling stations.

7.5 Amendments to Regulations relating to elections to the Sami Parliament

The Ministry has approved amendments to the Election Regulations which entail that advance votes must be sent in a manner that is faster than normal letter mail during the final week of the advance voting period. This ensures that as many advance votes as possible arrive at the municipalities by the deadline for approval. In the consultation paper, the Ministry proposed a corresponding amendment to Section 43, subsections 8 and 9 of the Regulations relating to Sami parliamentary elections.

The Ministry also proposed in the consultation paper that the expenses of the counting electoral committee which are covered by the public treasury, should be increased in accordance with the Consumer Price Index.

The Ministry is of the view that the rules for assistance to voters who cannot vote alone due to mental or physical disability should also apply for Sami Parliamentary elections in the same manner as for parliamentary elections and local government elections, and in the consultation

paper proposed a corresponding amendment to Section 50, subsection 4 of the Regulations relating to Sami parliamentary elections.

The Ministry aims to adopt these amendments to the Regulations after the Storting has considered the proposed amendments to the Election Act.

8 Municipal and county council elections in 2019

8.1 Introduction

The Ministry conducts evaluations of the election process following each election. This chapter will discuss the evaluations that were conducted for the municipal and county council elections in 2019. The Ministry will also discuss the government's working group for strengthen resilience against election influence, which commenced prior to the 2019 elections.

8.2 Evaluation of the election process

8.2.1 About the evaluation

On assignment from the Ministry, Oslo Economics conducted an evaluation of the services provided by the Norwegian Directorate of Elections to municipalities and county authorities in connection with the municipal and county council elections in 2019. The purpose of the evaluation was to determine whether the Norwegian Directorate of Elections adequately performed its tasks and to assess how the municipalities rate the services provided to them by the Directorate. The evaluation concerned the use of the election administration system EVA, training of election officials, user support for municipalities and county authorities and the Directorate's information work. Oslo Economics also conducted a survey which collected information and statistics about the practical implementation of the elections in the municipalities and county authorities (election implementation survey). Among other things, the purpose of this survey was to obtain time series data about how the municipalities conduct elections. The findings will also be used as input for potential proposed amendments to the election rules. The reports from both surveys can be found on the Ministry's website.

8.2.2 High level of satisfaction with the services provided by the Norwegian Directorate of Elections

The evaluation shows that over 90 per cent of municipalities were satisfied or very satisfied with the services provided by the Directorate before and during the election. The overall satisfaction score for all services and solutions was 4.3 on a scale from 1 to 5.

EVA Admin, which is part of the election administration system EVA, was given a particularly high score. The system is used for a number of tasks in the administrative conduct of elections (basic data, list proposals, electoral registers, receiving of advance votes, electronic crossing off on election day, election results etc.). The survey respondents gave EVA Admin a score of 5.4 on a scale of 1 to 6.

A large majority of the respondents stated that the quality of the Directorate's services had improved since the previous election. Among other things, the municipalities gave a higher score for training in 2019 than in the evaluation of the 2017 parliamentary election.

The evaluation shows that satisfaction with EVA Scanning has decreased slightly in comparison with the evaluation in 2017. EVA Scanning is the software that is used to conduct machine counting. Several municipalities reported that they were of the opinion that the solution's interpretation engine should be improved. The municipalities found that more ballot papers than expected had to be interpreted manually by an election official instead of the interpretation engine doing this job. Many municipalities also reported that software had not been adequately tested and quality controlled by the Directorate.

8.2.3 Findings from the election implementation survey

The election implementation survey provides the Ministry with useful data on how the municipalities conduct elections at local level. The questions in this survey do not concern the services provided by the Norwegian Directorate of Elections but rather the local organisation of elections and other practical matters.

The questions asked to the municipalities in 2019 included the agreement for sending advance votes, digital polling cards, municipal mergers, and manual counting of ballot papers. Experiences with the use of digital polling cards were discussed in chapter 7.4.

Sending of advance votes

Almost all of the municipalities were satisfied with the use of the agreement that the Norwegian Directorate of Elections entered into with Bring for sending advance votes by express post.

Municipal mergers

In the survey, the municipalities were asked about the level of cooperation when conducting the election between municipalities that are going to be merged. Only three municipalities responded that there was poor or very poor cooperation. However, eleven municipalities stated that the merger created serious or very serious challenges. They noted that the electoral organisations had different cultures and routines and that there were large distances and many polling stations.

Manual preliminary counting of ballot papers

24 per cent of the municipalities that responded to the survey stated that it was a challenge to conduct manual counting. Several large municipalities were represented in this category. They noted that this requires considerable human resources, time and space. Some municipalities were also of the opinion that manual counting contributes to distrust in the electoral system because there will always be some significant discrepancies between manual and machine counting. At the same time, 74 per cent of municipalities stated that this requirement was not challenging to implement.

8.2.4 Follow-up of the evaluations

In the letter of award for 2020, the Ministry tasked the Norwegian Directorate of Elections with following up the evaluations of the conduct of the 2019 municipal and county council elections and the 2017 Sami parliamentary elections within all of the Directorate's areas of service. A proposal for the follow-up of the evaluations was sent to the Ministry in February 2020. The Directorate has reviewed all of the evaluations and assessed the findings in relation to the applicable services. The Directorate has stated that they will prioritise improving software for scanning ballot papers, improve the security of the data solutions and further develop information programmes.

8.3 Action plan for strengthening resilience against foreign influence

Prior to the municipal and county council elections in 2019, the Government convened a diverse working group with a mandate to prepare an action plan for strengthening resilience against influence campaigns and hybrid threats to the election process. The working group was headed by the Ministry of Local Government and Modernisation and had representatives from the Ministry of Defence, Ministry of Justice and Public Security, Ministry of Foreign Affairs, Norwegian Directorate of Elections, Norwegian Police Security Service (PST), Norwegian National Security Authority (NSM), Norwegian Directorate for Civil Protection (DSB), Norwegian Intelligence Service and Norwegian Media Authority.

In June 2019, the Government launched an action plan with ten measures for strengthening resilience against such threats to the election process. The plan was prepared based on the current threat landscape. Among other measures was the announcement of a research assignment for assessing foreign informational influence during the election. The Ministry of Local Government and Modernisation signed a contract with SINTEF, who submitted the report in November 2019. SINTEF based their assessments on open sources and conducted a systematic analysis of selected digital platforms. The report shows that they found no clear signs of foreign influence on the selected platforms in connection with the municipal and county council elections. Another measure that was implemented was a campaign by the Norwegian Media Authority for how people can detect fake news and a qualitative study of political influence of first-time voters on social media. A brochure was also sent out to all list candidates for the municipal and county council elections in July 2019. The brochure provided specific tips for how to avoid influence and to prevent information from going astray. The brochure was prepared by NSM, the Norwegian Intelligence Service and PST and was a revised version of the brochure that had been sent out in connection with the 2017 parliamentary election.

The work on maintaining and strengthening security surrounding the election process will be continued up until the parliamentary and Sami parliamentary elections in 2021. The members of the working group have reported that the inter-ministerial dialogue has been strengthened and that they are now better equipped to be able to contribute to a more coordinated response if undesired events should occur. The working group has been continued with a revised mandate and will continue to work with strengthening resilience against influence until the 2021 parliamentary election. The group will propose new measures if required.

9 Financial and administrative consequences

The proposed amendment to the provision relating to the duty to be on a list at parliamentary elections does not entail any significant financial or administrative consequences.

The proposed amendments to the provisions relating to assistance when voting for voters with serious mental or physical disabilities will require in-depth training from both the Norwegian Directorate of Elections and the municipalities. Guidance materials will also have to be updated. Training and information are a permanent task of the Norwegian Directorate of Elections, which must ensure through its normal training and information work, that the voters and municipalities have knowledge about the right to assistance for this group of voters. The municipalities also have a duty to ensure that all polling committees receive information and training regarding the Election Act. The Ministry therefore expects that the proposal will have minor financial consequences.

The Ministry proposes repealing the provision that polling cards from advance voting must be sent from the municipalities to the county authorities. The proposal involves simplifying the process for the municipalities, however it is the view of the Ministry that the proposal will result in minor financial and administrative savings for the municipalities.

10 Remarks to the individual provisions

For Section 3-2, subsection 1 (c)

The provision is new and stipulates a general right to claim an exemption from being on an electoral list at parliamentary elections, irrespective of the reason. People who have submitted a written declaration that they do not wish to be included on an electoral list shall be removed from the list. The provision corresponds to Section 3-4, subsection 1 of the Election Act relating to the right to claim an exemption from appearing on an electoral list at municipal and county council elections.

Reference is otherwise made to the general preparatory works in section 4.5.

For Section 8-4, subsection 8

The provision makes changes to the right to assistance in connection with advance voting. In order to be entitled to assistance under the provision, the voter must have a physical or mental disability. People who are not covered by the right to assistance under this provision will still be entitled to guidance from an election official on how to vote. This guidance will not include assistance with the actual act of voting inside the polling booth. The election official can provide guidance on the procedure for voting inside the polling booth and then leave the polling booth to enable the voter to cast his or her vote in private.

The provision continues the requirement that the person who has a right to assistance can him/herself select a helper. The voter him/herself needing to take the initiative for receiving assistance reduces the risk of situations in which the voter may be subjected to undue influence.

Pursuant to the provision, the voter can decide whether to be assisted by a returning officer or another person he or she chooses. This is an amendment to current law.

The requirement that the returning officer is obligated to inform the helper that he or she has a duty of secrecy regarding how the voter who receives assistance votes will be continued.

The provision clarifies who shall decide whether the voter has the right to assistance. Situations may arise in which the returning officers disagree as to whether the voter satisfies the requirements for receiving assistance. Pursuant to the provision, it is sufficient that one of the returning officers finds that the conditions for being entitled to assistance are satisfied.

Reference is otherwise made to the general preparatory works in section 5.6.

For Section 9-5, subsection 5

The provision makes amendments to the right to assistance at the polls and corresponds to the amendments to Section 8-4, subsection 8 of the Election Act. Reference is made to the remarks to this provision.

The provision also stipulates that the polling committee shall decide whether a person is entitled to assistance in instances in which a member of the polling committee or an election official at the polls is of the opinion that a voter does not satisfy the requirements for receiving assistance. When determining whether the voter satisfies the requirements for assistance, any doubt must be in the voter's favour. It would be more detrimental to refuse such help for a voter who requires his or her own helper than permitting assistance for a voter who does not require special assistance.

Reference is otherwise made to the general preparatory works in section 5.6.

For Section 10-8, subsection 1 (c)

The provision will be repealed. This means that the electoral committee must no longer forward all polling cards from advance voting to the county electoral committee.

Entry into force

The amended rules will apply for the first time at the 2021 parliamentary election. In order for there to be predictability regarding the rules that apply for the election and the training of election officials and election workers in the municipalities and county authorities, the Ministry proposes that the statutory amendments enter into force immediately.

The Ministry of Local Government and Modernisation

recommends:

That Your Majesty approves and signs the presented proposal for a Proposition to the Storting (Bill) relating to amendments to the Election Act (assistance when voting).

I HARALD, King of Norway,

affirm:

The Storting is requested to adopt the Act relating to amendments to the Election Act (assistance when voting) in accordance with the enclosed proposal.

**Bill relating to
amendments to the Election Act (assistance when voting)**

I

The following amendments will be made to Act no. 57 of 28 June 2002 relating to parliamentary and local government elections:

Section 3-2, subsection 1 (c) shall read:

- c) any person who has submitted a written declaration that he or she does not wish to be on the electoral list in question.*

Section 8-4, subsection 8 shall read:

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

Section 9-5, subsection 5 shall read:

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

Section 10-8, subsection 1 (c) is repealed. The current subsection 1 (d) to (f) will become subsection 1 (c) to (e).

II

The Act will enter into force immediately.